



The Journal OF THE *House of Representatives*

Number 19

Tuesday, April 25, 2006

The House was called to order by the Speaker at 10:30 a.m.

Session Vote Sequence: 835

Speaker Bense in the Chair.

Prayer

The following prayer was offered by the Reverend Ernest Ferrell of St. Mary Primitive Baptist Church of Tallahassee, upon invitation of Reps. Ausley and Richardson:

Dear Lord, I want to thank You for the opportunity to pray and give You thanks for the many blessings that You, and You alone, have given us. Your goodness, Your mercy, and Your love has sustained us over the years; we thank You. You alone, Lord God, have given us life and a reasonable portion of health and strength. You, and You alone, have kept us in our right minds; for this we say thank You. You have brought us through when we were right and even when we were wrong. You, and You alone, have blessed us when we were good and had mercy on us when we were not. You have helped us through our successes and given us hope through our failures; for this, we say thank You.

And now, Lord God, as much as You have already done for us, we continuously need Your help in these troublesome times for many. While prosperity is booming for the few, many in our state are struggling to survive. We acknowledge our many blessings; so many of our brothers and sisters of all races, ages, and backgrounds are not doing as well, and they need Your intervention through those who are in the seat of political power in our state. Many of our people are fighting every single day just to put food on their tables. Many have no tables to put food on; we pray for them. Lord, in the land of plenty, and particularly in Florida, blessed with millions of dollars of surplus this year, I pray that You will prick the hearts of the political leaders in our community to do what is just, to do what is fair, to spread the wealth of this state to the many of our people who are not able to provide for themselves.

The sick have little medicine. The elderly, our youth, and young adults are filling our jails in Florida. Drugs and crimes are destroying dreams at the expense of the victims who fall prey every day. Lord, we need Your intervention through the leadership of so many of our outstanding people in Florida. Let them not forget those whose voices are not always heard, nor those strong enough to represent themselves. I pray that those who are in position to make a difference will stand up for them. I pray for victory through Your divine power and hope for the downtrodden and deliverance for the poor in spirit. This is our prayer, this is our petition, this is our desire. I ask in the name of our Lord, the true power broker, the omnipotent God, the Savior of all. Amen.

The following members were recorded present:

Adams	Cretul	Henriquez	Pickens
Allen	Culp	Holloway	Planas
Altman	Cusack	Homan	Poppell
Ambler	Davis, D.	Hukill	Porth
Anderson	Davis, M.	Jennings	Proctor
Antone	Dean	Johnson	Reagan
Arza	Detert	Jordan	Rice
Attkisson	Domino	Joyner	Richardson
Ausley	Evers	Justice	Rivera
Barreiro	Farkas	Kendrick	Robaina
Baxley	Fields	Kottkamp	Roberson
Bean	Flores	Kravitz	Ross
Bendross-Mindingall	Galvano	Kreegel	Russell
Bense	Gannon	Kyle	Ryan
Benson	Garcia	Legg	Sands
Berfield	Gardiner	Littlefield	Sansom
Bilirakis	Gelber	Llorente	Seiler
Bogdanoff	Gibson, A.	Lopez-Cantera	Simmons
Bowen	Gibson, H.	Machek	Slosberg
Brandenburg	Glorioso	Mahon	Smith
Brown	Goldstein	Mayfield	Sobel
Brummer	Goodlette	McInvale	Sorensen
Brutus	Gottlieb	Meadows	Stargel
Bucher	Grant	Mealor	Taylor
Bullard	Greenstein	Murzin	Vana
Cannon	Grimsley	Needelman	Waters
Carroll	Harrell	Negron	Williams
Clarke	Hasner	Patterson	Zapata
Coley	Hays	Peterman	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Cecelia Marie Koon of Mayo at the invitation of the Speaker pro tempore; Matt Lemons of Brandon at the invitation of Rep. Stargel; Brianne Mack of Oakland Park at the invitation of Rep. Bogdanoff; and Molly McCain of Miami at the invitation of Rep. Bendross-Mindingall.

House Physician

The Speaker introduced Dr. Christopher Williams of Jacksonville, who served in the Clinic today upon invitation of Rep. Jordan.

Correction of the *Journal*

The *Journal* of April 24 was corrected and approved as follows: On page 568, column 2, after the title for HB 187 CS, insert "—was read the second time by title."

Reports of Councils and Standing Committees

Reports of the Rules & Calendar Council

The Honorable Allan G. Bense
Speaker, House of Representatives

April 21, 2006

Dear Mr. Speaker:

Your Rules & Calendar Council herewith submits the Special Order for Tuesday, April 25, 2006. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar. BEFORE CONSIDERING THE BILLS IN SECTION I. BELOW, THE HOUSE SHALL CONSIDER ALL BILLS ON THE SPECIAL ORDER CALENDAR FOR MONDAY, APRIL 24, 2006 THAT WERE NOT READ A SECOND TIME ON THAT DATE.

I. Consideration of the following bills:

HB 1449 CS - Gannon, Benson, & others
Brain Tumor Research

HB 1451 CS - Gannon
Public Records

HB 293 CS - Pickens, Brown, & others
Fiscally Constrained Counties

HB 7183 - Finance & Tax Committee, Brummer
Property Tax Exemptions

HB 599 CS - Cannon, Carroll, & others
Florida Faith-based and Community-based Advisory Council

HB 7145 CS - Domestic Security Committee, Adams, & others
Seaport Security

HB 1143 CS - McInvale, Hasner
Economic Development Incentives

HB 13 CS - Robaina, Baxley, & others
Department of Elderly Affairs

HB 271 CS - Kreegel, Adams, & others
Arrests and Arrestees

HB 1583 CS - Davis, M.
Community Redevelopment

HB 595 CS - Cannon
Community Behavioral Health Agencies

HB 683 CS - Traviesa, Carroll, & others
Growth Management

HB 749 CS - Bowen
Sewage Treatment and Disposal Systems

HB 615 - Simmons, Antone, & others
Professional Sports Franchises

HB 175 CS - Adams, Harrell, & others
Drug Court Programs

HB 85 CS - Taylor, Baxley
Assault or Battery

HB 815 - Russell, Patterson
Strangulation

HB 935 CS - Benson
Temporary Buildings

HB 1009 CS - Cretul, Goodlette
Real Estate Profession Regulation

HB 1557 CS - Brummer
Wekiva Onsite Sewage Treatment and Disposal System Compliance Grant Program

HB 535 CS - Bogdanoff, Arza, & others
School Safety

HB 7031 CS - Tourism Committee, Detert
Department of State

HB 755 CS - Clarke
Department of the Lottery

HB 1367 CS - Evers, Reagan
Contracting Exemptions

HB 247 CS - Bogdanoff, Davis, D.
Beverage Law

HB 7073 CS - Health Care Regulation Committee, Garcia, & others
Health Care Information

HB 7237 CS - Utilities & Telecommunications Committee, Littlefield
Public Service Commission

HB 1593 CS - Barreiro
Cybercrime

HB 7065 CS - Health Care Regulation Committee, Garcia, & others
Clandestine Laboratory Contamination

HB 7021 CS - Criminal Justice Committee, Kravitz
Stolen Property

HB 7137 CS - Criminal Justice Committee, Kravitz
Drug Testing Within the Department of Corrections

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
J. Dudley Goodlette, Chair
Rules & Calendar Council

On motion by Rep. Goodlette, the above report was adopted.

Motions Relating to Council and Committee References

On motion by Rep. Goodlette, by the required two-thirds vote, HB 1497 was withdrawn from further consideration of the House.

On motion by Rep. Negron, by the required two-thirds vote, HB 973 was withdrawn from the Finance & Tax Committee and placed on the Calendar of the House.

Bills and Joint Resolutions on Third Reading

HB 285—A bill to be entitled An act relating to emergency management; amending s. 252.36, F.S.; providing construction with respect to the authority of the Governor to seize, take, or confiscate firearms in the event of an emergency beyond local control; amending s. 870.044, F.S.; providing construction with respect to the seizure, taking, or confiscation of firearms during a state of emergency; reenacting s. 377.703(3)(a), F.S., relating to the authority of the Governor to utilize specified emergency management powers to carry out emergency actions required by a serious shortage of energy sources under the energy emergency contingency plan of the Department of Environmental Protection, for the purpose of incorporating the amendment to s. 252.36, F.S., in a reference thereto; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 836

Speaker Bense in the Chair.

Yeas—116

Adams	Culp	Holloway	Planas
Allen	Cusack	Homan	Poppell
Altman	Davis, D.	Hukill	Porth
Anderson	Davis, M.	Jennings	Proctor
Antone	Dean	Johnson	Quinones
Arza	Detert	Jordan	Reagan
Attkisson	Domino	Joyner	Rice
Ausley	Evers	Justice	Richardson
Barreiro	Farkas	Kendrick	Rivera
Baxley	Fields	Kottkamp	Robaina
Bean	Flores	Kravitz	Roberson
Bendross-Mindingall	Galvano	Kreegel	Ross
Bense	Gannon	Kyle	Russell
Benson	Garcia	Legg	Ryan
Berfield	Gardiner	Littlefield	Sands
Bilirakis	Gelber	Llorente	Sansom
Bogdanoff	Gibson, A.	Lopez-Cantera	Seiler
Bowen	Gibson, H.	Machek	Simmons
Brandenburg	Glorioso	Mahon	Slosberg
Brown	Goldstein	Mayfield	Smith
Brummer	Goodlette	McInvale	Sobel
Brutus	Gottlieb	Meadows	Sorensen
Bucher	Grant	Mealor	Stargel
Bullard	Greenstein	Murzin	Taylor
Cannon	Grimsley	Needelman	Troutman
Carroll	Harrell	Negron	Vana
Clarke	Hasner	Patterson	Waters
Coley	Hays	Peterman	Williams
Cretul	Henriquez	Pickens	Zapata

Nays—None

Votes after roll call:

Yeas—Ambler, Stansel, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1145—A bill to be entitled An act relating to official state designations; creating s. 15.0301, F.S.; designating an official state motto; creating s. 15.052, F.S.; designating the future Admiral John H. Fetterman State of Florida Maritime Museum and Research Center in Pensacola as the official state maritime museum; providing for future review and repeal of the designation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 837

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Kyle	Ryan
Bendross-Mindingall	Gannon	Legg	Sands
Bense	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stargel
Brummer	Gottlieb	Mealor	Taylor
Brutus	Grant	Murzin	Troutman
Bucher	Greenstein	Needelman	Vana
Bullard	Grimsley	Negron	Waters
Cannon	Harrell	Patterson	Williams
Carroll	Hasner	Peterman	Zapata
Clarke	Hays	Pickens	
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	

Nays—None

Votes after roll call:

Yeas—Stansel, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7151—A bill to be entitled An act relating to adoption; amending s. 63.054, F.S.; requiring a petitioner in a proceeding for termination of parental rights to provide notice to the Office of Vital Statistics of the Department of Health; prohibiting the office from recording a claim of paternity after the date that a termination of parental rights is filed; requiring the department to remove a registrant's name from the Florida Putative Father Registry upon a finding that the registrant has no parental rights; amending s. 63.062, F.S.; modifying consent required for adoption; amending s. 63.182, F.S.; providing that the interest that entitles a person to notice of an adoption must be direct, financial, and immediate; providing an exception; providing that a showing of an indirect, inconsequential, or contingent interest is wholly inadequate; providing construction and applicability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 838

Speaker Bense in the Chair.

Yeas—115

Adams	Attkisson	Benson	Brown
Allen	Ausley	Berfield	Brummer
Altman	Barreiro	Bilirakis	Brutus
Ambler	Bean	Bogdanoff	Bucher
Anderson	Bendross-Mindingall	Bowen	Bullard
Antone	Bense	Brandenburg	Cannon

Carroll	Goldstein	Legg	Richardson
Clarke	Goodlette	Littlefield	Rivera
Coley	Gottlieb	Llorente	Robaina
Cretul	Grant	Lopez-Cantera	Roberson
Culp	Greenstein	Machek	Ross
Cusack	Grimsley	Mahon	Russell
Davis, D.	Harrell	Mayfield	Ryan
Davis, M.	Hasner	McInvale	Sands
Dean	Hays	Meadows	Sansom
Detert	Henriquez	Mealor	Seiler
Domino	Holloway	Murzin	Simmons
Evers	Homan	Needelman	Slosberg
Farkas	Hukill	Negron	Smith
Fields	Jennings	Patterson	Sobel
Flores	Johnson	Peterman	Sorensen
Galvano	Jordan	Pickens	Stargel
Gannon	Joyner	Planas	Taylor
Garcia	Justice	Poppell	Troutman
Gardiner	Kendrick	Porth	Vana
Gelber	Kottkamp	Proctor	Waters
Gibson, A.	Kravitz	Quinones	Williams
Gibson, H.	Kreegel	Reagan	Zapata
Glorioso	Kyle	Rice	

Nays—None

Votes after roll call:

Yeas—Baxley, Stansel, Traviesa

So the bill passed and was immediately certified to the Senate.

HB 7175—A bill to be entitled An act relating to vessels; amending s. 206.606, F.S.; authorizing the use of certain funds for local boating related projects and activities; amending s. 327.59, F.S.; authorizing marina owners, operators, employees, and agents to take actions to secure vessels during severe weather and to charge fees and be held harmless for such service; holding marina operators, employees, and agents liable for damage caused by intentional acts or negligence while removing or securing vessels; authorizing contract provisions and providing contract notice requirements relating to removing or securing vessels; amending s. 327.60, F.S.; providing for local regulation of anchoring within mooring fields; amending s. 328.64, F.S.; requiring the Department of Highway Safety and Motor Vehicles to provide forms for certain notification related to vessels; requiring the department to provide by rule for the surrender and replacement of certificates of registration to reflect change of address; amending s. 328.72, F.S.; requiring counties to use funds for specific boating related purposes; requiring counties to provide reports demonstrating specified expenditure of such funds; providing penalties for failure to comply; amending s. 376.11, F.S.; authorizing the distribution of revenues from the Florida Coastal Protection Trust Fund to all local governments for the removal of certain vessels; amending s. 376.15, F.S.; revising provisions relating to the removal of abandoned and derelict vessels; specifying officers authorized to remove such vessels; providing that certain costs are recoverable; requiring the Department of Legal Affairs to represent the Fish and Wildlife Conservation Commission in certain actions; expanding eligibility for disbursement of grant funds for the removal of certain vessels; amending s. 403.813, F.S.; providing exemptions from permitting, registration, and regulation of floating vessel platforms or floating boat lifts by a local government; authorizing local governments to require certain permits or registration for floating vessel platforms or floating boat lifts under certain circumstances; amending s. 705.101, F.S.; revising the definition of "abandoned property" to include certain vessels; amending s. 705.103, F.S.; revising the terminology relating to abandoned or lost property to conform; amending s. 823.11, F.S.; revising provisions relating to abandoned and derelict vessels and the removal of such vessels; providing a definition of "derelict vessel"; specifying which officers may remove such vessels; directing the Fish and Wildlife Conservation Commission to implement a plan for the procurement of federal disaster funds for the removal of derelict vessels; requiring the Department of Legal Affairs to represent the commission in certain actions; deleting a provision authorizing the commission to delegate certain authority to local governments under certain circumstances; authorizing private property

owners to remove certain vessels with required notice; providing that cost of such removal is recoverable; prohibiting private property owners from hindering the removal of certain vessels by vessel owners or agents; providing for jurisdictional imposition of civil penalties for violations relating to certain vessels; providing an effective date.

—was read the third time by title.

The Rules & Calendar Council offered the following:

(Amendment Bar Code: 739319)

Technical Amendment 2—Remove line(s) 444 and insert:
327.02, that is left, stored, or abandoned:

Rep. Needelman moved the adoption of the amendment, which was adopted.

Representative Needelman offered the following:

(Amendment Bar Code: 171527)

Amendment 3—Remove lines 367 through 380 and insert:
any local government. Local governments may require either permitting or one-time registration of floating vessel platforms to be attached to a bulkhead on a parcel of land where there is no other docking structure as necessary to ensure compliance with local ordinances, codes, or regulations. Local governments may require either permitting or one-time registration of all other floating vessel platforms as necessary to ensure compliance with the exemption criteria in this section; to ensure compliance with local ordinances, codes, or regulations relating to building or zoning, which are no more stringent than the exemption criteria in this section or address subjects other than subjects addressed by the exemption criteria in this section; and to ensure proper installation, maintenance, and precautionary or evacuation action following a tropical storm or hurricane watch of a floating vessel platform or floating boat lift that is proposed to be attached to a bulkhead or parcel of land where there is no other docking structure. The exemption

Rep. Needelman moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of HB 7175. The vote was:

Session Vote Sequence: 839

Speaker Bense in the Chair.

Yeas—115

Adams	Cannon	Goldstein	Littlefield
Allen	Carroll	Goodlette	Llorente
Altman	Clarke	Gottlieb	Lopez-Cantera
Ambler	Coley	Grant	Machek
Anderson	Cretul	Greenstein	Mahon
Antone	Culp	Grimsley	Mayfield
Arza	Cusack	Harrell	McInvale
Attkisson	Davis, D.	Hasner	Meadows
Ausley	Davis, M.	Hays	Mealor
Barreiro	Dean	Henriquez	Murzin
Baxley	Detert	Holloway	Needelman
Bean	Domino	Homan	Negron
Bendross-Mindingall	Evers	Hukill	Patterson
Bense	Farkas	Jennings	Peterman
Benson	Fields	Johnson	Pickens
Berfield	Flores	Jordan	Planas
Bilirakis	Galvano	Joyner	Poppell
Bogdanoff	Gannon	Justice	Porth
Bowen	Garcia	Kendrick	Proctor
Brandenburg	Gardiner	Kottkamp	Quinones
Brown	Gelber	Kravitz	Reagan
Brummer	Gibson, A.	Kreegel	Rice
Brutus	Gibson, H.	Kyle	Richardson
Bullard	Glorioso	Legg	Rivera

Robaina	Sands	Smith	Vana
Roberson	Sansom	Sobel	Waters
Ross	Seiler	Stargel	Williams
Russell	Simmons	Taylor	Zapata
Ryan	Slosberg	Troutman	

Nays—1

Bucher

Votes after roll call:

Yeas—Rubio, Sorensen, Stansel, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

HB 7205—A bill to be entitled An act relating to the death penalty; repealing Rule 3.203, Florida Rules of Criminal Procedure, relating to a defendant's mental retardation as a bar to imposition of the death penalty; providing an effective date.

—was read the third time by title.

Motion

Rep. Seiler moved that HB 7205 be referred to a fiscal committee, which was not agreed to by the required two-thirds vote.

The question recurred on the passage of HB 7205. The vote was:

Session Vote Sequence: 840

Speaker Bense in the Chair.

Yeas—83

Adams	Coley	Hasner	Planas
Allen	Cretul	Hays	Poppell
Altman	Culp	Homan	Porth
Ambler	Davis, D.	Johnson	Proctor
Anderson	Davis, M.	Jordan	Quinones
Arza	Dean	Kottkamp	Reagan
Attkisson	Detert	Kravitz	Rice
Barreiro	Domino	Kreegel	Rivera
Baxley	Evers	Kyle	Robaina
Bean	Farkas	Legg	Ross
Bense	Flores	Littlefield	Russell
Benson	Galvano	Llorente	Sansom
Berfield	Garcia	Lopez-Cantera	Simmons
Bilirakis	Gardiner	Mayfield	Sorensen
Bogdanoff	Gibson, H.	McInvale	Stansel
Bowen	Glorioso	Mealor	Stargel
Brown	Goldstein	Murzin	Troutman
Brummer	Goodlette	Needelman	Waters
Cannon	Grant	Negron	Williams
Carroll	Grimsley	Patterson	Zapata
Clarke	Harrell	Pickens	

Nays—34

Antone	Gannon	Joyner	Sands
Ausley	Gelber	Justice	Seiler
Bendross-Mindingall	Gibson, A.	Kendrick	Slosberg
Brandenburg	Gottlieb	Machek	Smith
Brutus	Greenstein	Meadows	Sobel
Bucher	Henriquez	Peterman	Taylor
Bullard	Holloway	Richardson	Vana
Cusack	Hukill	Roberson	
Fields	Jennings	Ryan	

Votes after roll call:

Yeas—Mahon, Traviesa

So the bill passed by the required constitutional two-thirds vote of the membership and was immediately certified to the Senate.

CS for CS for SB 258—A bill to be entitled An act relating to farm labor vehicles; amending s. 316.003, F.S.; providing definitions; repealing s. 316.620, F.S., relating to transportation of migrant farm workers; creating s. 316.622, F.S.; requiring owners and operators of farm labor vehicles to conform such vehicles to certain standards; requiring seat belts at each passenger position in certain vehicles; requiring certain operators to display prescribed stickers on their vehicles; requiring a certain sign to be displayed in such vehicles; providing a presumption for injuries sustained by a worker in a vehicle; providing a penalty; requiring the Department of Highway Safety and Motor Vehicles to provide copies of accident reports to the Department of Business and Professional Regulation; amending s. 318.18, F.S.; creating a penalty for violations regarding farm labor vehicles; amending ss. 320.38, 322.031, and 450.181, F.S.; conforming provisions; amending s. 450.28, F.S.; revising a definition; amending s. 450.33, F.S.; conforming a cross-reference; requiring the department to issue a vehicle authorization sticker denoting the authorization of a vehicle to transport farm workers; requiring the display of the sticker; amending s. 318.21, F.S.; providing for the disposition of fines levied for specified violations of s. 316.622, F.S.; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 841

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Kyle	Sands
Bendross-Mindingall	Gannon	Legg	Sansom
Bense	Garcia	Littlefield	Seiler
Benson	Gardiner	Llorente	Simmons
Berfield	Gelber	Lopez-Cantera	Slosberg
Bilirakis	Gibson, A.	Machek	Smith
Bogdanoff	Gibson, H.	Mahon	Sobel
Bowen	Glorioso	Mayfield	Sorensen
Brandenburg	Goldstein	McInvale	Stansel
Brown	Goodlette	Meadows	Stargel
Brummer	Gottlieb	Mealor	Taylor
Brutus	Grant	Murzin	Troutman
Bucher	Greenstein	Needelman	Vana
Bullard	Grimsley	Negron	Waters
Cannon	Harrell	Patterson	Williams
Carroll	Hasner	Peterman	Zapata
Clarke	Hays	Pickens	
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	

Nays—None

Votes after roll call:

Yeas—Ryan, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

SB 1756—A bill to be entitled An act relating to succession to the office of Governor; amending s. 14.055, F.S.; deleting the Secretary of State, Comptroller, Treasurer, and Commissioner of Education from the order of succession to the office of Governor; providing that the Chief Financial Officer shall become Governor upon vacancies in the offices of Governor, Lieutenant Governor, and Attorney General; providing an effective date.

—was read the third time by title.

Representatives Gottlieb and Justice offered the following:

(Amendment Bar Code: 366431)

Amendment 1 (with title amendment)—On page 1, line 27, after the comma, insert: the House Minority Leader shall become Governor; if the position of House Minority Leader is vacant,

===== T I T L E A M E N D M E N T =====

On page 1, lines 7-10,
remove: all of said lines
and insert: that the House Minority Leader shall become Governor upon vacancies in the offices of Governor, Lieutenant Governor, Attorney General, and Chief Financial Officer; providing an effective date.

Rep. Gottlieb moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

The question recurred on the passage of SB 1756. The vote was:

Session Vote Sequence: 842

Speaker Bense in the Chair.

Yeas—118

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Kyle	Ryan
Bendross-Mindingall	Gannon	Legg	Sands
Bense	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Troutman
Bullard	Grimsley	Negron	Vana
Cannon	Harrell	Patterson	Waters
Carroll	Hasner	Peterman	Williams
Clarke	Hays	Pickens	Zapata
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed and was immediately certified to the Senate.

REPRESENTATIVE RYAN IN THE CHAIR

HB 761—A bill to be entitled An act relating to trespass on the property of a certified domestic violence center; amending s. 810.09, F.S.; providing that a person commits a felony of the third degree if he or she trespasses on the property of a certified domestic violence center; providing a penalty; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 843

Representative Ryan in the Chair.

Yeas—117

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Russell
Baxley	Galvano	Kyle	Ryan
Bean	Gannon	Legg	Sands
Bendross-Mindingall	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Troutman
Bullard	Grimsley	Negron	Vana
Cannon	Harrell	Patterson	Waters
Carroll	Hasner	Peterman	Williams
Clarke	Hays	Pickens	Zapata
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed and was immediately certified to the Senate.

HB 947—A bill to be entitled An act relating to long-term care coverage; reenacting and amending s. 409.9102, F.S.; directing the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation and the Department of Children and Family Services, to amend the Medicaid state plan that established the Florida Long-Term Care Partnership Program for purposes of compliance with provisions of the Social Security Act; establishing a qualified state Long-Term Care Insurance Partnership Program in Florida; providing duties of the program; requiring consultation with the Office of Insurance Regulation and the Department of Children and Family Services for the creation of standards for certain information; providing rulemaking authority to the agency for implementation of s. 409.9102, F.S.; providing rulemaking authority to the department regarding determination of eligibility for certain services; creating s. 627.94075, F.S.; providing rulemaking authority to the Financial Services Commission for the implementation of a qualified state Long-Term Care Insurance Partnership Program in Florida; repealing ss. 1 and 2 of ch. 2005-252, Laws of Florida, to delete conflicting provisions relating to the determination of eligibility for nursing and rehabilitative services and the establishment of the Florida Long-Term Care Partnership Program that were contingent upon amendment to the Social Security Act; amending s. 4 of ch. 2005-252, Laws of Florida, to delete a contingency in an effective date; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on the implementation of a qualified state Long-Term Care Insurance Partnership Program in Florida to the Governor and Legislature; creating s. 627.94076, F.S.; requiring long-term care insurance policies to provide incontestability after a certain time period; providing an exception; amending s. 627.9403, F.S.; specifying that certain limited benefit policies are a type of long-term

care insurance policy; deleting an exemption from a minimum time period coverage requirement for certain limited benefit policies; amending s. 627.9404, F.S.; revising definitions; amending s. 627.9407, F.S.; revising certain restrictions on long-term care insurance policies; providing additional rate structure requirements for long-term care insurance policies; amending s. 641.2018, F.S.; correcting a cross-reference; providing application; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 844

Representative Ryan in the Chair.

Yeas—114

Adams	Cusack	Hukill	Porth
Allen	Davis, D.	Jennings	Proctor
Altman	Davis, M.	Johnson	Quinones
Ambler	Dean	Jordan	Reagan
Anderson	Detert	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Sands
Bendross-Mindingall	Gardiner	Littlefield	Sansom
Berfield	Gelber	Llorente	Seiler
Bilirakis	Gibson, A.	Lopez-Cantera	Simmons
Bogdanoff	Gibson, H.	Machek	Slosberg
Bowen	Glorioso	Mahon	Smith
Brandenburg	Goldstein	Mayfield	Sobel
Brown	Goodlette	McInvale	Sorensen
Brummer	Gottlieb	Meadows	Stansel
Brutus	Grant	Mealor	Stargel
Bucher	Greenstein	Murzin	Taylor
Bullard	Grimsley	Needelman	Troutman
Cannon	Harrell	Negron	Vana
Carroll	Hasner	Patterson	Waters
Clarke	Hays	Peterman	Williams
Coley	Henriquez	Pickens	Zapata
Cretul	Holloway	Planas	
Culp	Homan	Poppell	

Nays—None

Votes after roll call:

Yeas—Benson, Ryan, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1221—A bill to be entitled An act relating to district school boards; creating s. 1001.364, F.S.; providing for an alternate procedure for the election of a district school board chair in any school district that does not have a district school board member elected at large; requiring a referendum and providing requirements for submitting such referendum to the electors; creating s. 1001.365, F.S.; providing for resolution of a tie vote by the district school board chair and district school board members; amending s. 1001.371, F.S., relating to organization of district school boards, to conform; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 845

Representative Ryan in the Chair.

Yeas—72

Adams	Davis, D.	Hays	Negron
Altman	Davis, M.	Homan	Patterson
Anderson	Dean	Hukill	Pickens
Arza	Detert	Johnson	Poppell
Attkisson	Evers	Jordan	Quinones
Baxley	Farkas	Kottkamp	Reagan
Bean	Flores	Kreegel	Rivera
Benson	Galvano	Kyle	Robaina
Bilirakis	Garcia	Legg	Ross
Bogdanoff	Gardiner	Littlefield	Russell
Bowen	Gibson, H.	Llorente	Sansom
Brown	Glorioso	Lopez-Cantera	Simmons
Brummer	Goldstein	Mahon	Sorensen
Cannon	Goodlette	Mayfield	Stargel
Carroll	Grant	McInvale	Troutman
Clarke	Grimsley	Mealor	Waters
Coley	Harrell	Murzin	Williams
Cretul	Hasner	Needelman	Zapata

Nays—43

Allen	Cusack	Joyner	Roberson
Antone	Domino	Justice	Ryan
Ausley	Fields	Kendrick	Sands
Barreiro	Gannon	Machek	Seiler
Bendross-Mindingall	Gelber	Meadows	Slosberg
Berfield	Gibson, A.	Peterman	Smith
Brandenburg	Gottlieb	Planas	Sobel
Brutus	Greenstein	Porth	Stansel
Bucher	Henriquez	Proctor	Taylor
Bullard	Holloway	Rice	Vana
Culp	Jennings	Richardson	

Votes after roll call:

Yeas—Traviesa

Nays—Ambler, Kravitz

Nays to Yeas—Planas

So the bill passed and was immediately certified to the Senate.

HB 7089—A bill to be entitled An act relating to facilities for retained spring training franchises; amending s. 212.20, F.S.; revising a limitation on certain distributions to certified facilities for a retained spring training franchise; deleting a provision entitling an applicant to receive certain distributions without additional certification; amending s. 288.1162, F.S.; requiring the Office of Tourism, Trade, and Economic Development to competitively evaluate applications for funding of certain additional facilities; providing application and certification requirements; specifying evaluation criteria; revising the number of certifications of such facilities; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 846

Representative Ryan in the Chair.

Yeas—117

Adams	Brandenburg	Evers	Harrell
Allen	Brown	Farkas	Hasner
Altman	Brummer	Fields	Hays
Ambler	Brutus	Flores	Henriquez
Anderson	Bucher	Galvano	Holloway
Antone	Bullard	Gannon	Homan
Arza	Cannon	Garcia	Hukill
Attkisson	Carroll	Gardiner	Jennings
Ausley	Clarke	Gelber	Johnson
Barreiro	Coley	Gibson, A.	Jordan
Baxley	Cretul	Gibson, H.	Joyner
Bean	Culp	Glorioso	Justice
Bendross-Mindingall	Cusack	Goldstein	Kendrick
Benson	Davis, D.	Goodlette	Kottkamp
Berfield	Davis, M.	Gottlieb	Kravitz
Bilirakis	Dean	Grant	Kreegel
Bogdanoff	Detert	Greenstein	Kyle
Bowen	Domino	Grimsley	Legg

Littlefield	Patterson	Robaina	Sorensen
Llorente	Peterman	Roberson	Stansel
Lopez-Cantera	Pickens	Ross	Stargel
Machek	Planas	Russell	Taylor
Mahon	Poppell	Ryan	Troutman
Mayfield	Porth	Sands	Vana
McInvale	Proctor	Sansom	Waters
Meadows	Quinones	Seiler	Williams
Mealor	Reagan	Simmons	Zapata
Murzin	Rice	Slosberg	
Needelman	Richardson	Smith	
Negron	Rivera	Sobel	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed and was immediately certified to the Senate.

CS for SB 738—A bill to be entitled An act relating to motor vehicle registration forms; requiring the application form to be revised to allow each applicant to make a contribution to the Miami Heart Research Institute, Inc., doing business as the Florida Heart Research Institute; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 847

Representative Ryan in the Chair.

Yeas—117

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Russell
Baxley	Galvano	Kyle	Ryan
Bean	Gannon	Legg	Sands
Bendross-Mindingall	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Troutman
Bullard	Grimsley	Negron	Vana
Cannon	Harrell	Patterson	Waters
Carroll	Hasner	Peterman	Williams
Clarke	Hays	Pickens	Zapata
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed and was immediately certified to the Senate.

HB 147—A bill to be entitled An act relating to criminal prosecutions; creating s. 918.19, F.S.; prescribing rights of the prosecution in closing arguments; repealing Rule 3.250, Florida Rules of Criminal Procedure,

relating to the accused as a witness and being entitled to concluding arguments before the jury, to the extent of inconsistency with the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 848

Representative Ryan in the Chair.

Yeas—85

Adams	Cretul	Hays	Planas
Allen	Culp	Homan	Poppell
Altman	Davis, D.	Hukill	Porth
Ambler	Davis, M.	Johnson	Proctor
Anderson	Dean	Jordan	Quinones
Arza	Detert	Kottkamp	Reagan
Attkisson	Domino	Kravitz	Rice
Barreiro	Evers	Kreegel	Rivera
Baxley	Farkas	Kyle	Robaina
Bean	Flores	Legg	Ross
Bense	Galvano	Littlefield	Russell
Benson	Garcia	Llorente	Sansom
Berfield	Gardiner	Lopez-Cantera	Simmons
Bilirakis	Gelber	Mahon	Sorensen
Bogdanoff	Gibson, H.	Mayfield	Stansel
Bowen	Glorioso	McInvale	Stargel
Brown	Goldstein	Mealor	Troutman
Brummer	Goodlette	Murzin	Waters
Cannon	Grant	Needelman	Zapata
Carroll	Grimsley	Negron	
Clarke	Harrell	Patterson	
Coley	Hasner	Pickens	

Nays—31

Antone	Fields	Justice	Sands
Ausley	Gannon	Kendrick	Seiler
Bendross-Mindingall	Gibson, A.	Machek	Slosberg
Brandenburg	Gottlieb	Meadows	Smith
Brutus	Henriquez	Peterman	Sobel
Bucher	Holloway	Richardson	Taylor
Bullard	Jennings	Roberson	Vana
Cusack	Joyner	Ryan	

Votes after roll call:

Yeas—Traviesa, Williams

So the bill passed by the required constitutional two-thirds vote of the membership and was immediately certified to the Senate.

HB 25—A bill to be entitled An act relating to violent felony offenders; providing a short title; creating s. 903.0351, F.S.; prohibiting bail or other pretrial release for specified violent felony offenders of special concern without a hearing; amending s. 948.06, F.S.; providing definitions; providing that certain alleged violations of probation or community control by violent felony offenders of special concern require hearings and require the alleged offenders to remain in custody pending hearing; providing requirements for such hearings; amending s. 921.0024, F.S.; revising Criminal Punishment Code worksheet computations to provide additional community sanction violation points for certain community sanction violations committed by violent felony offenders of special concern; reenacting ss. 948.012(2)(b), 948.10(9), and 958.14, F.S., relating to split sentence of probation or community control and imprisonment, community control programs, and violation of probation or community control, respectively, to incorporate the amendment to s. 948.06, F.S., in references thereto; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 849

Representative Ryan in the Chair.

Yeas—115

Adams	Davis, D.	Hukill	Porth
Allen	Davis, M.	Jennings	Proctor
Altman	Dean	Johnson	Quinones
Ambler	Detert	Jordan	Reagan
Anderson	Domino	Joyner	Rice
Antone	Evers	Justice	Richardson
Arza	Farkas	Kendrick	Rivera
Attkisson	Fields	Kottkamp	Robaina
Ausley	Flores	Kravitz	Roberson
Barreiro	Galvano	Kreegel	Ross
Baxley	Gannon	Kyle	Russell
Bean	Garcia	Legg	Ryan
Bendross-Mindingall	Gardiner	Littlefield	Sands
Bense	Gelber	Llorente	Sansom
Berfield	Gibson, A.	Lopez-Cantera	Seiler
Bilirakis	Gibson, H.	Machek	Simmons
Bogdanoff	Glorioso	Mahon	Slosberg
Brandenburg	Goldstein	Mayfield	Smith
Brown	Goodlette	McInvale	Sobel
Brutus	Gottlieb	Meadows	Sorensen
Bucher	Grant	Mealor	Stansel
Bullard	Greenstein	Murzin	Stargel
Cannon	Grimley	Needelman	Taylor
Carroll	Harrell	Negron	Troutman
Clarke	Hasner	Patterson	Vana
Coley	Hays	Peterman	Waters
Cretul	Henriquez	Pickens	Williams
Culp	Holloway	Planas	Zapata
Cusack	Homan	Poppell	

Nays—None

Votes after roll call:

Yeas—Benson, Brummer, Traviesa

So the bill passed and was immediately certified to the Senate.

HB 5043—A bill to be entitled An act relating to trust funds; terminating certain specified trust funds within the Department of Agriculture and Consumer Services and transferring the funds to other trust funds in the department; renaming trust funds within the Department of Agriculture and Consumer Services, the Department of the Lottery, and the Division of Administrative Hearings of the Department of Management Services; transferring certain accounts within the Grants and Donations Trust Fund of the Department of Management Services to the Operating Trust Fund of the Department of Management Services; amending ss. 215.20, 550.2625, 550.2633, 570.382, 215.22, 589.277, 24.114, 24.120, 24.121, 403.518, 403.5365, 403.9421, 552.40, 282.22, 287.042, 287.057, and 287.1345, F.S.; conforming provisions to changes made by the act; reenacting s. 550.0351(4), F.S., relating to charity racing days, to incorporate the amendments made to s. 550.2625, F.S., in a reference thereto; reenacting ss. 43.16(1) and 570.07(41), F.S., relating to exempting the Justice Administrative Commission from certain fees and authorizing the use of the on-line procurement system of the Department of Agriculture and Consumer Services, respectively, to incorporate the amendments made to s. 287.057, F.S., in references thereto; providing effective dates.

—was read the third time by title.

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 279571)

Amendment 2 (with title amendment)—Between lines 684 and 685 insert:

Section 24. Paragraph (d) of subsection (2) of section 794.055, Florida Statutes, is amended, present paragraphs (h) and (i) of that subsection are

redesignated as paragraphs (i) and (j), respectively, a new paragraph (h) is added to that subsection, and paragraphs (a) and (b) of subsection (3) of that section are amended, to read:

794.055 Access to services for victims of sexual battery.--

(2) As used in this section, the term:

(d) "Rape crisis center" means any public or private agency that provides ~~offers at least five of the~~ sexual battery recovery services ~~in paragraph (g) to~~ victims of sexual battery and their families and is certified by the statewide nonprofit association.

(h) "Statewide nonprofit association" means the federally recognized sexual assault coalition whose primary purpose is to represent and provide technical assistance to rape crisis centers.

(3)(a) The department shall contract with ~~the a~~ statewide nonprofit association ~~whose primary purpose is to represent and provide technical assistance to rape crisis centers.~~ This association shall receive 95 percent of the moneys appropriated from the Rape Crisis Program Trust Fund.

(b) Funds received under s. 938.085 shall be used to provide sexual battery recovery services to victims and their families. Funds shall be distributed to rape crisis centers by county, based on an allocation formula that takes into account the population and rural characteristics of each ~~the~~ county. No more than 15 percent of the funds shall be used for statewide initiatives, ~~including developing service standards and a certification process for rape crisis centers.~~ No more than 5 percent of the funds may be used for administrative costs.

Section 25. Section 794.056, Florida Statutes, is amended to read:

794.056 Rape Crisis Program Trust Fund.--

(1) The Rape Crisis Program Trust Fund is created within the Department of Health for the purpose of providing funds for rape crisis centers in this state. Trust fund moneys shall be used exclusively for the purpose of providing services for victims of sexual assault. Funds credited to the trust fund consist of those funds collected as an additional court assessment in each case in which a defendant pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, an offense defined in s. 784.011, s. 784.021, s. 784.03, s. 784.041, s. 784.045, s. 784.048, s. 784.07, s. 784.08, s. 784.081, s. 784.082, s. 784.083, s. 785.085, or s. 794.011. Funds credited to the trust fund also shall include revenues provided by law, moneys appropriated by the Legislature, and grants from public or private entities.

(2) The Department of Health shall establish by rule criteria consistent with the provisions of s. 794.055(3)(a) for distributing moneys from the trust fund to rape crisis centers.

===== T I T L E A M E N D M E N T =====

Remove line 25 and insert:

references thereto; amending s. 794.055, F.S.; revising and providing definitions; requiring the Department of Health to contract with a statewide nonprofit association to provide assistance to rape crisis centers; providing for distribution of funds; amending s.794.056, F.S.; providing for funds to be credited to the Rape Crisis Program Trust Fund; providing effective dates.

Rep. Barreiro moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of HB 5043. The vote was:

Session Vote Sequence: 850

Representative Ryan in the Chair.

Yeas—115

Adams	Barreiro	Brandenburg	Cretul
Allen	Baxley	Brown	Culp
Altman	Bean	Brummer	Cusack
Ambler	Bendross-Mindingall	Bucher	Davis, D.
Anderson	Benson	Bullard	Davis, M.
Antone	Berfield	Cannon	Dean
Arza	Bilirakis	Carroll	Detert
Attkisson	Bogdanoff	Clarke	Domino
Ausley	Bowen	Coley	Evers

Farkas	Henriquez	McInvale	Ross
Fields	Holloway	Meadows	Russell
Flores	Homan	Mealor	Ryan
Galvano	Hukill	Murzin	Sands
Gannon	Jennings	Needelman	Sansom
Garcia	Johnson	Negron	Seiler
Gardiner	Jordan	Patterson	Simmons
Gelber	Joyner	Peterman	Slosberg
Gibson, A.	Justice	Pickens	Smith
Gibson, H.	Kendrick	Planas	Sobel
Glorioso	Kottkamp	Poppell	Sorensen
Goldstein	Kreegel	Porth	Stansel
Goodlette	Kyle	Proctor	Stargel
Gottlieb	Legg	Quinones	Taylor
Grant	Littlefield	Reagan	Troutman
Greenstein	Llorente	Rice	Vana
Grimsley	Lopez-Cantera	Richardson	Waters
Harrell	Machek	Rivera	Williams
Hasner	Mahon	Robaina	Zapata
Hays	Mayfield	Roberson	

Nays—None

Votes after roll call:

Yeas—Kravitz, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

HB 21—A bill to be entitled An act relating to the social status of black men and boys; creating the Council on the Social Status of Black Men and Boys; providing for the appointment and qualification of members; providing for the appointment of members to fill vacant positions; requiring the council to make a systematic study of conditions affecting black men and boys; requiring the Office of the Attorney General to provide administrative support; requiring the council to submit an annual report to the Governor and Legislature; providing for reimbursement for per diem and travel expenses; providing that the council and any subcommittees it forms are subject to public records and meetings requirements; providing financial disclosure requirements for council members; requiring the Attorney General to organize the initial meeting of the council; providing for the expiration of the council; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 851

Representative Ryan in the Chair.

Yeas—116

Adams	Carroll	Goodlette	Llorente
Allen	Clarke	Gottlieb	Lopez-Cantera
Altman	Coley	Grant	Machek
Ambler	Cretul	Greenstein	Mahon
Anderson	Culp	Grimsley	Mayfield
Antone	Cusack	Harrell	McInvale
Arza	Davis, D.	Hasner	Meadows
Attkisson	Davis, M.	Hays	Mealor
Ausley	Dean	Henriquez	Murzin
Barreiro	Detert	Holloway	Needelman
Baxley	Domino	Homan	Negron
Bean	Evers	Hukill	Patterson
Bendross-Mindingall	Farkas	Jennings	Peterman
Benson	Fields	Johnson	Pickens
Bilirakis	Flores	Jordan	Planas
Bogdanoff	Galvano	Joyner	Poppell
Bowen	Gannon	Justice	Porth
Brandenburg	Garcia	Kendrick	Proctor
Brown	Gardiner	Kottkamp	Quinones
Brummer	Gelber	Kravitz	Reagan
Brutus	Gibson, A.	Kreegel	Rice
Bucher	Gibson, H.	Kyle	Richardson
Bullard	Glorioso	Legg	Rivera
Cannon	Goldstein	Littlefield	Robaina

Roberson	Sansom	Sobel	Troutman
Ross	Seiler	Sorensen	Vana
Russell	Simmons	Stansel	Waters
Ryan	Slosberg	Stargel	Williams
Sands	Smith	Taylor	Zapata

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1031—A bill to be entitled An act relating to pawnbroking; amending s. 539.001, F.S.; providing that local ordinances shall not require the payment of any fee or tax related to a pawn transaction or purchase unless authorized under the Florida Pawnbroking Act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 852

Representative Ryan in the Chair.

Yeas—116

Adams	Culp	Homan	Poppell
Allen	Cusack	Hukill	Porth
Altman	Davis, D.	Jennings	Proctor
Ambler	Davis, M.	Johnson	Quinones
Anderson	Dean	Jordan	Reagan
Antone	Detert	Joyner	Rice
Arza	Domino	Justice	Richardson
Attkisson	Evers	Kendrick	Rivera
Ausley	Farkas	Kottkamp	Robaina
Barreiro	Fields	Kravitz	Roberson
Baxley	Flores	Kreegel	Ross
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Benson	Garcia	Littlefield	Sands
Berfield	Gardiner	Llorente	Sansom
Bilirakis	Gelber	Lopez-Cantera	Seiler
Bogdanoff	Gibson, A.	Machek	Simmons
Bowen	Gibson, H.	Mahon	Slosberg
Brandenburg	Glorioso	Mayfield	Smith
Brown	Goldstein	McInvale	Sobel
Brummer	Goodlette	Meadows	Sorensen
Brutus	Gottlieb	Mealor	Stansel
Bucher	Grant	Murzin	Stargel
Bullard	Greenstein	Needelman	Taylor
Cannon	Grimsley	Negron	Troutman
Carroll	Harrell	Patterson	Vana
Clarke	Hasner	Peterman	Waters
Coley	Hays	Pickens	Williams
Cretul	Holloway	Planas	Zapata

Nays—None

Votes after roll call:

Yeas—Henriquez, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1173—A bill to be entitled An act relating to driver history records; creating the "Jeffrey Klapatch Act"; amending s. 322.20, F.S.; providing for the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles to implement a system that provides the parents or guardian of a minor or the adult who signed a minor's application for a driver's license with Internet access to the driver history record of the minor; providing that no fee will be charged for such access; providing for termination of such access; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 853

Representative Ryan in the Chair.

Yeas—117

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Ambler	Dean	Jordan	Rice
Anderson	Detert	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Russell
Baxley	Galvano	Kyle	Ryan
Bean	Gannon	Legg	Sands
Bendross-Mindingall	Garcia	Littlefield	Sansom
Benson	Gardiner	Llorente	Seiler
Berfield	Gelber	Lopez-Cantera	Simmons
Bilirakis	Gibson, A.	Machek	Slosberg
Bogdanoff	Gibson, H.	Mahon	Smith
Bowen	Glorioso	Mayfield	Sobel
Brandenburg	Goldstein	McInvale	Sorensen
Brown	Goodlette	Meadows	Stansel
Brummer	Gottlieb	Mealor	Stargel
Brutus	Grant	Murzin	Taylor
Bucher	Greenstein	Needelman	Troutman
Bullard	Grimsley	Negron	Vana
Cannon	Harrell	Patterson	Waters
Carroll	Hasner	Peterman	Williams
Clarke	Hays	Pickens	Zapata
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1417—A bill to be entitled An act relating to hospices; amending s. 400.601, F.S.; revising the definition of the term "hospice"; amending s. 400.602, F.S.; requiring that a hospice state the year of initial licensure in the state; prescribing the manner and placement of such notification; providing an exception; deleting provisions authorizing the transfer of certain hospices and the acquisition of additional licenses; amending s. 400.606, F.S.; providing that the Agency for Health Care Administration may not deny a license to applicants that fail to meet certain conditions when good cause for such failure can be demonstrated; amending s. 400.6105, F.S.; requiring a hospice to use trained volunteers and to document and report certain volunteer information; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature; providing legislative intent; requiring the Department of Elderly Affairs, in conjunction with the agency, to develop certain outcome measures; providing for adoption of national initiatives; requiring an annual report; providing for severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 854

Representative Ryan in the Chair.

Yeas—94

Adams	Allen	Altman	Ambler
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Anderson	Dean	Jennings	Reagan
Arza	Detert	Johnson	Rice
Attkisson	Domino	Jordan	Richardson
Barreiro	Evers	Joyner	Rivera
Baxley	Farkas	Kottkamp	Robaina
Bean	Flores	Kravitz	Ross
Benson	Galvano	Kyle	Russell
Berfield	Garcia	Littlefield	Ryan
Bilirakis	Gardiner	Llorente	Sands
Bogdanoff	Gelber	Mahon	Sansom
Bowen	Gibson, H.	Mayfield	Seiler
Brown	Glorioso	McInvale	Simmons
Brummer	Goldstein	Meadows	Slosberg
Brutus	Goodlette	Murzin	Sobel
Bullard	Grant	Needelman	Sorensen
Cannon	Greenstein	Negron	Stargel
Carroll	Grimsley	Peterman	Taylor
Clarke	Harrell	Pickens	Troutman
Coley	Hasner	Planas	Waters
Cretul	Henriquez	Poppell	Williams
Culp	Holloway	Porth	Zapata
Davis, D.	Homan	Proctor	
Davis, M.	Hukill	Quinones	

Nays—16

Ausley	Cusack	Gottlieb	Roberson
Bendross-Mindingall	Fields	Justice	Smith
Brandenburg	Gannon	Kendrick	Stansel
Bucher	Gibson, A.	Machek	Vana

Votes after roll call:

Yeas—Hays, Kreegel, Lopez-Cantera, Patterson, Traviesa

Nays—Antone

So the bill passed, as amended, and was immediately certified to the Senate.

HB 605—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the home addresses, telephone numbers, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, senior juvenile detention officers, juvenile detention officer supervisors, juvenile detention officers, house parents I and II, house parent supervisors, group treatment leaders, group treatment leader supervisors, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice, the names, home addresses, telephone numbers, and places of employment of spouses and children of such personnel, and the names and locations of schools and day care facilities attended by the children of such personnel; providing for review and repeal; reenacting s. 409.2577, F.S., relating to disclosure of information to the parent locator service of the Department of Children and Family Services, for the purpose of incorporating the amendment to s. 119.071, F.S., in a reference thereto; providing a statement of public necessity; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 855

Representative Ryan in the Chair.

Yeas—89

Adams	Berfield	Cretul	Galvano
Allen	Bilirakis	Culp	Garcia
Altman	Bogdanoff	Davis, D.	Gardiner
Ambler	Bowen	Davis, M.	Gibson, H.
Anderson	Brandenburg	Dean	Glorioso
Arza	Brown	Detert	Goldstein
Attkisson	Brummer	Domino	Gottlieb
Barreiro	Cannon	Evers	Grant
Baxley	Carroll	Farkas	Grimsley
Bean	Clarke	Fields	Harrell
Benson	Coley	Flores	Hasner

Hays	Llorente	Porth	Simmons
Homan	Lopez-Cantera	Proctor	Sorensen
Hukill	Mayfield	Quinones	Stansel
Jennings	McInvale	Reagan	Stargel
Johnson	Mealor	Rice	Troutman
Jordan	Murzin	Richardson	Vana
Kottkamp	Needelman	Rivera	Waters
Kravitz	Negron	Robaina	Williams
Kreegel	Patterson	Roberson	Zapata
Kyle	Pickens	Ross	
Legg	Planas	Russell	
Littlefield	Poppell	Sansom	

Nays—27

Antone	Gannon	Joyner	Sands
Ausley	Gelber	Justice	Seiler
Bendross-Mindingall	Gibson, A.	Kendrick	Slosberg
Brutus	Goodlette	Machek	Smith
Bucher	Greenstein	Meadows	Sobel
Bullard	Henriquez	Peterman	Taylor
Cusack	Holloway	Ryan	

Votes after roll call:

Yeas—Mahon, Traviesa

Yeas to Nays—Gottlieb

So the bill passed, as amended, by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

Consideration of **HB 583** was temporarily postponed.

HB 7239—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 493.6106, F.S.; clarifying that private investigative, private security, and repossession services are licensed by the department; amending s. 493.6121, F.S.; authorizing the department to institute judicial proceedings to enforce ch. 493, F.S., or any rule or order of the department; amending s. 493.6303, F.S.; revising the requirements for a Class "D" private security license; requiring the department to establish the number of hours of each subject area to be taught in training; providing for automatic suspension of a license upon failure to submit documentation of completing the required training; prescribing requirements and conditions for persons licensed before a certain date; providing exemptions; amending s. 501.059, F.S.; prohibiting a telephone solicitor from blocking certain information from a recipient's caller identification service; providing an exception; authorizing a telephone solicitor to substitute certain information provided to the recipient's caller identification service; providing a definition; prohibiting alteration of a caller's voice during a telephonic sales call under certain circumstances and for certain purposes; amending s. 501.142, F.S.; providing that the regulation of refunds in retail sales establishments is preempted to the department; authorizing the department to adopt rules; authorizing the department to enter orders for certain violations; requiring that any moneys recovered by the department as a penalty be deposited in the General Inspection Trust Fund; authorizing a local government to impose penalties; requiring that any moneys recovered by a local government as a penalty be deposited in the appropriate local account; amending s. 506.5131, F.S.; revising provisions relating to assessment of fees, fines, and costs against the owner of a shopping cart; providing an exemption; amending s. 525.01, F.S.; defining the term "alternative fuel" for purposes of ch. 525, F.S., relating to the inspection of gasoline and oil; amending s. 527.11, F.S.; exempting the delivery of certain amounts of propane gas for use with outdoor equipment or appliances from provisions governing the delivery of liquefied petroleum gas; requiring that a person delivering liquefied petroleum gas in bulk comply with certain storage requirements; amending ss. 570.46 and 570.47, F.S.; authorizing the Division of Standards within the department to enforce ch. 527, F.S., relating to the sale of liquefied petroleum gas; amending s. 570.544, F.S.; deleting provisions requiring that an office or agency receiving a complaint file progress reports with the Division of Consumer Services within the department; repealing s. 526.3135, F.S., relating to reports by the Division of Standards, to conform to changes made by the act; amending s.

616.242, F.S.; exempting certain governmental entities from requirements that operators of amusement rides maintain specified amounts of insurance coverage; providing effective dates.

—was read the third time by title.

Representative Attkisson offered the following:

(Amendment Bar Code: 493557)

Amendment 2—Remove line 240 and insert:
establishment to install a retention system to

Rep. Poppell moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of HB 7239. The vote was:

Session Vote Sequence: 856

Representative Ryan in the Chair.

Yeas—116

Adams	Culp	Holloway	Poppell
Allen	Cusack	Homan	Porth
Altman	Davis, D.	Hukill	Proctor
Ambler	Davis, M.	Jennings	Quinones
Anderson	Dean	Jordan	Reagan
Antone	Detert	Joyner	Rice
Arza	Domino	Justice	Richardson
Attkisson	Evers	Kendrick	Rivera
Ausley	Farkas	Kottkamp	Robaina
Barreiro	Fields	Kravitz	Roberson
Baxley	Flores	Kreegel	Ross
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Benson	Garcia	Littlefield	Sands
Berfield	Gardiner	Llorente	Sansom
Bilirakis	Gelber	Lopez-Cantera	Seiler
Bogdanoff	Gibson, A.	Machek	Simmons
Bowen	Gibson, H.	Mahon	Slosberg
Brandenburg	Glorioso	Mayfield	Smith
Brown	Goldstein	McInvale	Sobel
Brummer	Goodlette	Meadows	Sorensen
Brutus	Gottlieb	Mealor	Stansel
Bucher	Grant	Murzin	Stargel
Bullard	Greenstein	Needelman	Taylor
Cannon	Grimsley	Negron	Troutman
Carroll	Harrell	Patterson	Vana
Clarke	Hasner	Peterman	Waters
Coley	Hays	Pickens	Williams
Cretul	Henriquez	Planas	Zapata

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

THE SPEAKER IN THE CHAIR

On motion by Rep. Goodlette, the House reverted to the order of—

Special Orders

HB 1449—A bill to be entitled An act relating to brain tumor research; creating s. 381.853, F.S.; providing legislative findings and intent; requiring the Department of Health to develop and maintain a brain tumor registry; providing that individuals may choose not to be listed in the registry; establishing the Florida Center for Brain Tumor Research within the Scripps

Research Institute; providing purpose and goal of the center; requiring the center to hold an annual brain tumor biomedical technology summit; providing for clinical trials and collaboration between certain entities; providing for funding; establishing a scientific advisory council and providing for composition and terms thereof; providing rulemaking authority to the department; providing an appropriation; providing an effective date.

The Health & Families Council recommended the following:

HB 1449 CS—A bill to be entitled An act relating to brain tumor research; creating s. 381.853, F.S.; providing legislative findings and intent; requiring the Evelyn F. and William L. McKnight Brain Institute of the University of Florida to develop and maintain a brain tumor registry; providing that individuals may choose not to be listed in the registry; establishing the Florida Center for Brain Tumor Research within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida; providing purpose and goal of the center; providing for a competitive grant process for awarding certain funds; requiring the center to hold an annual brain tumor biomedical technology summit; providing for clinical trials and collaboration between certain entities; requiring the center to submit an annual report to the Governor, Legislature, and Secretary of Health; providing for funding; establishing a scientific advisory council and providing for membership, terms of office, meetings, and compensation; providing an appropriation; providing an effective date.

—was read the second time by title.

Representative Gannon offered the following:

(Amendment Bar Code: 593523)

Amendment 1—Remove lines 119 and 120 and insert:

4. One member from the Mayo Clinic in Jacksonville who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research appointed by the Secretary of Health.

5. Two members from the Cleveland Clinic in Florida who are directly involved in basic brain tumor research appointed by the Governor.

6. One member from the H. Lee Moffitt Cancer Center and Research Institute who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research appointed by the Speaker of the House of Representatives.

7. One member from the M. D. Anderson Cancer Center Orlando who is directly involved in the treatment of brain tumor patients or who has expertise in basic brain tumor research appointed by the President of the Senate.

Rep. Gannon moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 1451—A bill to be entitled An act relating to public records; creating s. 381.8531, F.S.; providing an exemption from public records requirements for personal identifying information contained in records of the Florida Center for Brain Tumor Research; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

The Governmental Operations Committee recommended the following:

HB 1451 CS—A bill to be entitled An act relating to public records; creating s. 381.8531, F.S.; providing an exemption from public records requirements for an individual's medical record or information received from an individual from another state or nation or the Federal Government that is otherwise confidential or exempt that is held by the Florida Center for Brain Tumor Research; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Remarks

The Speaker recognized Rep. Gannon, who gave brief farewell remarks.

Special Orders

HB 293—A bill to be entitled An act relating to fiscally constrained counties; amending s. 212.20, F.S.; providing for a distribution of tax revenue to fiscally constrained counties; amending s. 218.65, F.S.; providing for a transitional emergency distribution from the Local Government Half-cent Sales Tax Clearing Trust Fund to certain fiscally constrained counties; revising criteria for receiving certain funds from the Local Government Half-cent Sales Tax Clearing Trust Fund; creating s. 218.67, F.S.; providing eligibility criteria to qualify as a fiscally constrained county; providing for the distribution of additional funds to certain fiscally constrained counties; providing for a phaseout period; providing for the use of funds; amending s. 288.0656, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to accept and administer moneys appropriated for rural economic development; authorizing the office to contract with Enterprise Florida, Inc.; amending s. 288.1169, F.S.; correcting a cross-reference; amending s. 985.2155, F.S.; revising the definition of the term "fiscally constrained county" applicable to shared county and state responsibility for juvenile detention; providing an appropriation; providing an effective date.

The Fiscal Council recommended the following:

HB 293 CS—A bill to be entitled An act relating to fiscally constrained counties; amending s. 212.20, F.S.; providing for a distribution of tax revenue to fiscally constrained counties; amending s. 218.65, F.S.; providing for a transitional emergency distribution from the Local Government Half-cent Sales Tax Clearing Trust Fund to certain fiscally constrained counties; revising criteria for receiving certain funds from the Local Government Half-cent Sales Tax Clearing Trust Fund; creating s. 218.67, F.S.; providing eligibility criteria to qualify as a fiscally constrained county; providing for the distribution of additional funds to certain fiscally constrained counties; providing for a phaseout period; providing for the use of funds; amending s. 288.1169, F.S.; correcting a cross-reference; amending s. 985.2155, F.S.; revising the definition of the term "fiscally constrained county" applicable to shared county and state responsibility for juvenile detention; providing an effective date.

—was read the second time by title.

Representative Pickens offered the following:

(Amendment Bar Code: 458441)

Amendment 1—Remove lines 353 through 358 and insert:

(b) "Fiscally constrained county" means a county ~~that is within designated as a rural area of critical economic concern as designated by the Governor pursuant to~~ under s. 288.0656 or each county for which the value of a mill will raise in the county is no more than \$5 \$3 million in revenue, based on the certified school taxable value from the previous July 1 property valuations and tax data annually published by the Department of Revenue under s. 195.052.

Rep. Pickens moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7183—A bill to be entitled An act relating to property tax exemptions; creating s. 196.1987, F.S.; exempting from ad valorem taxation certain property owned by an organization exempt from federal income taxes and used to display aspects of Biblical history; providing limitations; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 599—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Board; creating s. 14.31, F.S.; providing legislative findings and intent; creating the Florida Faith-based and Community-based Advisory Board within the Executive Office of the Governor for certain purposes; providing for board membership; providing for terms of members; providing for successor appointments; providing for meetings and organization of the board; specifying serving without compensation; providing for per diem and travel expenses; specifying required activities of the board; specifying restricted activities; requiring a report to the Governor and Legislature; providing for future repeal and abolition of the board; providing an effective date.

The Health & Families Council recommended the following:

HB 599 CS—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; creating s. 14.31, F.S.; providing legislative findings and intent; creating the Florida Faith-based and Community-based Advisory Council within the Executive Office of the Governor for certain purposes; providing for council membership; providing for terms of members; providing for successor appointments; providing for meetings and organization of the council; specifying serving without compensation; providing for per diem and travel expenses; specifying required activities of the council; specifying restricted activities; requiring a report to the Governor and Legislature; providing for future repeal and abolition of the council; providing an effective date.

—was read the second time by title.

REPRESENTATIVE SORENSEN IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7145—A bill to be entitled An act relating to seaport security; creating s. 311.111, F.S.; requiring each seaport authority or governing board of a seaport that is subject to the statewide minimum seaport security standards to designate and identify security area designations, access requirements, and security enforcement authorizations on seaport premises and in seaport security plans; providing that any part of a port's property may be designated as a restricted access area under certain conditions; amending s. 311.12, F.S.; revising purpose of security plans maintained by seaports; requiring periodic plan revisions; requiring plans to be inspected by the Office of Drug Control and the Department of Law Enforcement based upon specified standards; providing requirements with respect to protection standards in specified restricted areas; requiring delivery of the plan to specified entities; requiring the Department of Law Enforcement to inspect every seaport within the state to determine if all security measures adopted by the seaport are in compliance with seaport security standards; requiring a report; authorizing seaports to appeal findings in a Department of Law Enforcement inspection report; requiring the Domestic Security Oversight Council to establish a review process; providing procedures and requirements with respect to waiver of any physical facility requirement or other requirement contained in the statewide minimum standards for seaport security; providing a penalty for possession of a concealed weapon while on seaport property in a designated restricted area; requiring periodic review of the statewide minimum standards for seaport security to be conducted under the Office of Drug Control within the Executive Office of the Governor; requiring the Office of Drug Control to convene a Seaport Security Standards Advisory Council to review the statewide minimum standards for seaport security with respect to current narcotics and terrorism threats to Florida's seaports; providing membership, terms, organization, and meetings of the council; creating s. 311.121, F.S.; requiring the authority or governing board of each seaport that is subject to statewide minimum seaport security standards to impose specified requirements for certification as a seaport security officer; creating the Seaport Security Officer Qualification, Training, and Standards Coordinating Council under the Department of Law Enforcement; providing membership and organization of the council; providing terms of members; providing duties and authority of the council; requiring the Department of Education to develop curriculum recommendations and specifications of the council into

initial and continuing education and training programs for seaport security officer certification; providing requirements and procedures with respect to such training programs; providing requirements and procedures with respect to certification as a seaport security officer; providing requirements for renewal of inactive or revoked certification; creating s. 311.122, F.S.; authorizing each seaport in the state to create a seaport law enforcement agency for its facility; providing requirements of an agency; requiring certification of an agency; providing requirements with respect to the composition of agency personnel; providing powers of seaport law enforcement agency officers and seaport security officers; creating s. 311.123, F.S.; providing for the creation of a maritime domain security awareness training program; providing purpose of the program; providing program training curriculum requirements; creating s. 311.124, F.S.; providing authority of seaport security officers to detain persons suspected of trespassing in a designated restricted area of a seaport; providing immunity from specified criminal or civil liability; creating s. 817.021, F.S.; providing a criminal penalty for willfully and knowingly providing false information in obtaining or attempting to obtain a seaport security identification card; providing an effective date.

The State Administration Council recommended the following:

HB 7145 CS—A bill to be entitled An act relating to seaport security; creating s. 311.111, F.S.; requiring each seaport authority or governing board of a seaport that is subject to the statewide minimum seaport security standards to designate and identify security area designations, access requirements, and security enforcement authorizations on seaport premises and in seaport security plans; providing that any part of a port's property may be designated as a restricted access area under certain conditions; amending s. 311.12, F.S.; revising purpose of security plans maintained by seaports; requiring periodic plan revisions; requiring plans to be inspected for compliance by the Office of Drug Control and the Department of Law Enforcement based upon specified standards; providing requirements with respect to protection standards in specified restricted areas; requiring delivery of the plan to specified entities; requiring the Department of Law Enforcement to inspect every seaport within the state to determine if all security measures adopted by the seaport are in compliance with seaport security standards; requiring a report; authorizing seaports to request review by the Domestic Security Oversight Council of the findings in a Department of Law Enforcement inspection report; limiting the findings which the council is authorized to review; requiring the Department of Law Enforcement to establish by rule a waiver process to grant certain individuals unescorted access to seaports or restricted access areas under certain circumstances; providing waiver process requirements; requiring the administrative staff of the Parole Commission to review the waiver application and transmit the findings to the department; requiring the department to make a final disposition of the application and notify the applicant and the seaport; providing procedures and requirements with respect to waiver of any physical facility requirement or other requirement contained in the statewide minimum standards for seaport security; providing a penalty for possession of a concealed weapon while on seaport property in a designated restricted area; creating the Seaport Standards Security Advisory Council under the Office of Drug Control within the Executive Office of the Governor; providing membership, terms, organization, and meetings of the council; requiring the Office of Drug Control to convene the Seaport Security Standards Advisory Council to review the statewide minimum standards for seaport security; requiring periodic review of the statewide minimum standards for seaport security to be conducted by the council; creating s. 311.121, F.S.; providing legislative intent with respect to the employment by seaports of certified law enforcement officers and certified private security officers; providing authority of seaports and requirements of the Department of Law Enforcement with respect to such intent; requiring the authority or governing board of each seaport that is subject to statewide minimum seaport security standards to impose specified requirements for certification as a seaport security officer; creating the Seaport Security Officer Qualification, Training, and Standards Coordinating Council under the Department of Law Enforcement; providing membership and organization of the council;

providing terms of members; providing duties and authority of the council; requiring the Department of Education to develop curriculum recommendations and specifications of the council into initial and continuing education and training programs for seaport security officer certification; providing requirements and procedures with respect to such training programs; providing requirements and procedures with respect to certification as a seaport security officer; providing requirements for renewal of inactive or revoked certification; creating s. 311.122, F.S.; authorizing each seaport in the state to create a seaport law enforcement agency for its facility; providing requirements of an agency; requiring certification of an agency; providing requirements with respect to the composition of agency personnel; providing powers of seaport law enforcement agency officers and seaport security officers; creating s. 311.123, F.S.; providing for the creation of a maritime domain security awareness training program; providing purpose of the program; providing program training curriculum requirements; creating s. 311.124, F.S.; providing authority of seaport security officers to detain persons suspected of trespassing in a designated restricted area of a seaport; providing immunity from specified criminal or civil liability; creating s. 817.021, F.S.; providing a criminal penalty for willfully and knowingly providing false information in obtaining or attempting to obtain a seaport security identification card; providing an effective date.

—was read the second time by title.

Representative Adams offered the following:

(Amendment Bar Code: 879735)

Amendment 1 (with title amendment)—Remove lines 255 through 282 and insert:

(3)

(e) The Department of Law Enforcement shall establish a waiver process to allow unescorted access to an individual who is found to be unqualified under paragraph (c) and denied employment by a seaport. The waiver consideration shall be based on the circumstances of any disqualifying act or offense, restitution made by the individual, and other factors from which it may be determined that the individual does not pose a risk of engaging in theft, drug trafficking, or terrorism within the public seaports regulated under this chapter or of harming any person. The waiver process shall begin when an individual who has been denied initial employment within or regular unescorted access to restricted areas of a public seaport as described in paragraph (c) submits an application for a waiver and notarized letter or affidavit from the individual's employer or union representative which states the mitigating reasons for initiating the waiver process. No later than 90 days after receipt of the application, the administrative staff of the Parole Commission shall conduct a factual review of the waiver application. Findings of fact shall be transmitted to the Department of Law Enforcement for review. The department shall make a copy of those findings available to the applicant before final disposition of the waiver request. The department shall make a final disposition of the waiver request based on the factual findings of the investigation by the Parole Commission. The department shall notify the waiver applicant and the port authority that originally denied employment to the applicant of the final disposition of the waiver. The review process under this paragraph is exempt from chapter 120.

===== TITLE AMENDMENT =====

Remove lines 29 through 37 and insert:

requiring the Department of Law Enforcement to establish a waiver process to grant certain individuals unescorted access to seaports or restricted access areas under certain circumstances; providing waiver process requirements; requiring the administrative staff of the Parole Commission to review the waiver application and transmit the findings to the department; requiring the department to make a final disposition of the application and notify the applicant and the seaport; providing that the waiver review process is exempt from the Administrative Procedure Act; providing

Rep. Adams moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 1143—A bill to be entitled An act relating to economic development incentives; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; providing limitations; requiring the Department of Revenue to prescribe certain forms; providing for future repeal; creating s. 288.1171, F.S.; providing for certification by the Office of Tourism, Trade, and Economic Development of units of local government owning eligible convention centers; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for audits by the Auditor General; providing for revocation of certification; providing for future repeal; providing an effective date.

The Finance & Tax Committee recommended the following:

HB 1143 CS—A bill to be entitled An act relating to economic development incentives; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; providing limitations; requiring the Department of Revenue to prescribe certain forms; providing for future repeal; creating s. 288.1171, F.S.; providing for certification by the Office of Tourism, Trade, and Economic Development of units of local government owning eligible convention centers; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for revocation of certification; providing for future repeal; providing an effective date.

—was read the second time by title.

Representative(s) McInvale offered the following:

(Amendment Bar Code: 608983)

Amendment 1—Remove line 183 and insert: including developing their own events and shows. Distributions may not be used to encourage or otherwise provide incentives or payments to existing businesses with offices within this state to relocate those offices to another location within this state. This sub-

Rep. McInvale moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 13—A bill to be entitled An act relating to the Department of Elderly Affairs; amending s. 20.41, F.S.; deleting provisions relating to contracts by the department with area agencies on aging for certain services; deleting provisions relating to appointment, duties, and responsibilities of the executive director of the area agencies on aging board; providing that certain administering agencies under contract with the department are subject to public records and public meetings requirements; creating s. 430.011, F.S.; defining the terms "department," "secretary," and "planning and service area"; amending s. 430.04, F.S.; deleting provisions relating to the designation of an area agency on aging; amending s. 430.05, F.S.; revising the composition of the membership of the Department of Elderly Affairs Advisory Council; amending s. 430.071, F.S.; revising and deleting definitions and defining the terms "homebound elderly individual" and "RELIEF program"; providing that RELIEF services may be delivered to a homebound elderly individual in certain places; providing criteria for eligibility to receive respite services; authorizing the department to give priority for services to persons who are most in need of services in order to prevent their institutionalization; providing duties of the department with respect to administration of the RELIEF program and volunteer services; authorizing the department to adopt rules for the RELIEF program; amending

s. 430.101, F.S.; revising provisions to conform to changes made by the act; creating s. 430.103, F.S.; providing for the administration of federal programs for the aged; defining terms; providing for responsibilities of the department and each area agency on aging; authorizing the department to adopt rules authorizing the department to impose penalties and sanctions on an area agency under certain specified circumstances; amending s. 430.201, F.S.; conforming a cross-reference; amending s. 430.202, F.S.; requiring that the community care for the elderly program be operated through public or private agencies that are not agencies of the state; providing an exception; amending s. 430.203, F.S.; revising and deleting definitions and adding a definition for the term "case management"; amending s. 430.204, F.S.; revising the responsibilities and duties of the department in administering the community-care-for-the-elderly program; directing the department to adopt specified rules; requiring the department to contract with an administering entity in each community care service area; requiring the administering entity to designate a lead agency in the community care service area; providing duties for administering entities; providing duties for each lead agency; requiring a lead agency to ensure that case management and core services are available to clients in the community care service area; providing eligibility criteria for case management and core services; providing that certain abused adults are entitled to primary consideration for services; requiring training programs; directing eligible persons to the Medicaid program in order to conserve funds of the community-care-for-the-elderly program; authorizing the department to conduct certain demonstration projects; creating s. 430.2043, F.S.; providing procedures for the competitive selection of lead agencies and core service providers; providing for the submission of proposals and the scoring of the proposals; providing that the secretary may waive the competitive-procurement process under specified circumstances; creating s. 430.2045, F.S.; requiring the department to adopt rules to administer the community-care-for-the-elderly program; creating s. 430.2051, F.S.; requiring the department and the Agency for Health Care Administration to create an integrated long-term-care delivery system; providing duties; providing for administration of case management services; authorizing the agency to adopt rules; providing for a service utilization reporting system; requiring integration of specified data systems into one information system within a certain time period; requiring the agency, in consultation with the department, to evaluate the Alzheimer's Disease waiver program and the Adult Day Health Care waiver program; requiring the agency, in consultation with the department, to begin discussions with the federal Centers for Medicare and Medicaid Services regarding the inclusion of Medicare into the integrated long-term-care system; requiring the agency to provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a plan for including Medicare in the integrated long-term-care system; creating s. 430.5001, F.S.; authorizing the department to adopt rules for the Alzheimer's Disease Initiative; amending s. 430.502, F.S.; requiring Alzheimer's respite provider organizations to assess and collect service fees; requiring the department to prepare a fee schedule; amending ss. 430.602, 430.603, 430.604, and 430.606, F.S.; conforming provisions to changes made by the act; amending ss. 400.126, 409.912, 420.36, 430.207, 430.504, and 430.705, F.S., conforming cross-references; repealing ss. 430.205, 430.2053, and 430.503, F.S., relating to the community care service system, aging resource centers, and the Alzheimer's Disease Initiative; providing an effective date.

The Governmental Operations Committee recommended the following:

HB 13 CS—A bill to be entitled An act relating to the Department of Elderly Affairs; amending s. 430.04, F.S.; requiring the Department of Elderly Affairs to conduct an evaluation prior to rescinding designation of or taking certain measures against an area agency on aging; providing circumstances under which the department may terminate an area agency on aging contract; authorizing the department to contract with certain entities to provide programs and services under certain circumstances; requiring the department to initiate a competitive procurement process to replace an area agency on aging within a specified time period; providing for certain contracts and agreements to be assignable to the department and,

subsequently, to an entity selected to replace the area agency on aging; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 271—A bill to be entitled An act relating to custody of criminal defendants; amending s. 907.04, F.S.; providing for court orders requiring that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending transfer to the custody of a sheriff; providing an effective date.

The Justice Council recommended the following:

HB 271 CS—A bill to be entitled An act relating to arrests and arrestees; amending s. 907.04, F.S.; providing that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending disposition of the charge or until the expiration of the arrestee's original sentence of imprisonment; requiring application of specified provisions if an arrested state prisoner's presence is required in court; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1583—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; defining the term "taxing authority"; amending s. 163.346, F.S.; revising a requirement that a governing body notify taxing authorities before taking certain actions; creating s. 163.354, F.S.; authorizing the adoption of a resolution establishing a slum and blight study area before making a finding of necessity; amending s. 163.360, F.S.; specifying additional notice, hearing, and dispute resolution procedures for adoption of a community redevelopment plan for certain community redevelopment agencies; amending s. 163.361, F.S.; specifying additional notice, hearing, and dispute resolution procedures for adoption of a modified community redevelopment plan expanding redevelopment area boundaries for certain community redevelopment agencies; amending s. 163.387, F.S.; specifying for certain redevelopment agencies certain limitations on amounts of increment contributed to a redevelopment trust fund by certain taxing authorities; authorizing enactment of an interlocal agreement providing for an alternative determination of amounts of, payment schedules for, and interest on increment contributions to a redevelopment trust fund; amending s. 163.410, F.S.; providing requirements for actions by certain counties delegating or changing a delegation of powers to a municipality for community redevelopment areas; providing an effective date.

The State Infrastructure Council recommended the following:

HB 1583 CS—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; revising certain definitions; defining the term "taxing authority"; amending ss. 163.356 and 163.357, F.S.; authorizing representatives of a taxing authority or members of a taxing authority's governing body to be members of the board of commissioners of a community redevelopment agency; amending s. 163.360, F.S.; specifying additional procedures required for adoption of community redevelopment plans by the governing body of certain counties for certain community redevelopment agencies; amending s. 163.361, F.S.; specifying additional procedures required for adoption of a modified community redevelopment plan by a governing body of certain counties for certain community redevelopment agencies; amending s. 163.370, F.S.; revising provisions relating to powers of counties, municipalities, and community redevelopment agencies; revising provisions relating to projects ineligible for increment revenues; amending s. 163.387, F.S.; revising provisions relating to redevelopment trust funds; providing limitations on the amount of tax increment contributions by a taxing authority for certain governing bodies; authorizing a community redevelopment agency to waive certain increment payment penalties; authorizing alternate provisions in certain interlocal agreements to supersede certain provisions of law; amending s. 163.410,

F.S.; providing additional requirements for requests for information relating to requests for delegation of certain powers in counties with home rule charters; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 595—A bill to be entitled An act relating to community behavioral health agencies; creating s. 394.9085, F.S.; providing that certain facilities or programs have liability limits in tort actions under certain circumstances; limiting net economic damages allowed per claim; requiring that damages be offset by collateral source payment in accordance with s. 768.76, F.S.; providing for claims bills to be filed with the Legislature; requiring that costs to defend actions be assumed by the provider or its insurer; specifying occasions upon which immunities enjoyed by the provider extend to the employee; requiring that providers obtain and maintain specified liability coverage; specifying that persons providing contractual services to the state are not considered agents or employees under ch. 440, F.S.; providing for an annual increase in the conditional limitations on damages; providing definitions; providing an effective date.

The Health Care Appropriations Committee recommended the following:

HB 595 CS—A bill to be entitled An act relating to community behavioral health agencies; creating s. 394.9085, F.S.; providing that certain facilities or programs have liability limits in negligence actions under certain circumstances; limiting net economic damages allowed per claim; requiring that damages be offset by collateral source payment in accordance with s. 768.76, F.S.; requiring that costs to defend actions be assumed by the provider or its insurer; specifying occasions upon which the limitations on liability enjoyed by the provider extend to the employee; requiring that providers obtain and maintain specified liability coverage; specifying that persons providing contractual services to the state are not considered agents or employees under ch. 440, F.S.; providing for an annual increase in the conditional limitations on damages; providing definitions; providing construction; preserving sovereign immunity for governmental units and entities protected by sovereign immunity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **HB 683** was temporarily postponed.

HB 749—A bill to be entitled An act relating to sewage treatment and disposal systems; amending s. 153.54, F.S.; requiring county commissions to include certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system in certain reports; amending s. 153.73, F.S.; requiring county water and sewer districts to conduct certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system prior to the levying of certain assessments; amending s. 163.3180, F.S.; authorizing local governments to use certain onsite sewage treatment and disposal systems to meet certain concurrency requirements; amending s. 180.03, F.S.; requiring municipalities to conduct certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system prior to the adoption of certain resolutions or ordinances; amending s. 381.00655, F.S.; exempting certain onsite sewage treatment and disposal systems from connecting to a publicly owned or investor-owned sewerage system under certain circumstances; providing an effective date.

The State Resources Council recommended the following:

HB 749 CS—A bill to be entitled An act relating to sewage treatment and disposal systems; amending s. 153.54, F.S.; requiring county commissions to include certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system in certain reports; amending s. 153.73, F.S.; requiring county water and sewer districts to conduct certain studies for the construction of a new proposed sewerage system or the

extension of an existing sewerage system prior to the levying of certain assessments; amending s. 163.3180, F.S.; authorizing local governments to use certain onsite sewage treatment and disposal systems to meet certain concurrency requirements; amending s. 180.03, F.S.; requiring municipalities to conduct certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system prior to the adoption of certain resolutions or ordinances; amending s. 381.0062, F.S.; authorizing the Department of Health to delegate authority for the issuance of permits for private and multifamily water systems under certain circumstances; amending s. 381.0065, F.S.; authorizing the department to delegate authority for the issuance of permits for onsite sewage treatment and disposal systems under certain circumstances; amending s. 381.00655, F.S.; authorizing local governments to grant variances from connecting to a publicly owned or investor-owned sewerage system under certain circumstances; providing construction; amending s. 381.0067, F.S.; authorizing the department or its agents to require repair or replacement of drainfields under certain circumstances; requiring the department or its agents to issue an order for the replacement of an onsite sewage treatment and disposal system under certain circumstances; providing construction; amending s. 489.554, F.S.; increasing annual continuing education requirements for septic tank contractors and master septic tank contractors; providing an effective date.

—was read the second time by title.

Representative Bowen offered the following:

(Amendment Bar Code: 482989)

Amendment 1 (with title amendment)—Remove lines 153 through 199 and insert:

Section 5. Paragraph (c) is added to subsection (2) of section 381.00655, Florida Statutes, to read:

381.00655 Connection of existing onsite sewage treatment and disposal systems to central sewerage system; requirements.—

(2) The provisions of subsection (1) or any other provision of law to the contrary notwithstanding:

(c) A local government or water and sewer district responsible for the operation of a centralized sewer system under s. 153.62 may grant a variance to an owner of a performance-based onsite sewage treatment and disposal system permitted by the department as long as the onsite system is functioning properly and satisfying the conditions of the operating permit. Nothing in this paragraph shall be construed to require a local government or water and sewer district to issue a variance under any circumstance. Nothing in this paragraph shall be construed as limiting local government authority to enact ordinances under s. 4 of chapter 99-395, Laws of Florida. A local government or water and sewer district located in any of the following areas shall not be required to issue a variance under any circumstance:

===== TITLE AMENDMENT =====

Remove lines 23 through 31 and insert:

resolutions or ordinances; amending s. 381.00655, F.S.; authorizing local governments and certain water and sewer districts to grant variances from connecting to a

Rep. Bowen moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 615—A bill to be entitled An act relating to professional sports franchises; amending s. 288.1162, F.S.; providing additional requirements with respect to certification as a facility for a new professional sports franchise or a facility for a retained professional sports franchise; providing for repeal of the requirements by a specified date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 175—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 39.407, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment upon a showing of good cause in connection with a shelter petition or petition for dependency; amending ss. 39.507 and 39.521, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment as part of an adjudicatory order or pursuant to a disposition hearing; requiring a showing of good cause; authorizing the court to require participation in a treatment-based drug court program; authorizing the court to impose sanctions for noncompliance; amending s. 39.701, F.S.; authorizing the court to extend the time for completing a case plan during judicial review, based upon participation in a treatment-based drug court program; amending s. 397.334, F.S.; revising legislative intent with respect to treatment-based drug court programs to reflect participation by community support agencies, the Department of Education, and other individuals; including postadjudicatory programs as part of treatment-based drug court programs; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing the chief judge of each judicial circuit to appoint an advisory committee for the treatment-based drug court program; providing for membership of the committee; revising language with respect to an annual report; amending s. 910.035, F.S.; revising language with respect to conditions for the transfer of a case in the drug court treatment program to a county other than that in which the charge arose; amending ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance and removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

The Justice Council recommended the following:

HB 175 CS—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 39.407, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment or evaluation upon a showing of good cause in connection with a shelter petition or petition for dependency; amending ss. 39.507 and 39.521, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment as part of an adjudicatory order or pursuant to a disposition hearing; requiring a showing of good cause; authorizing the court to require participation in a treatment-based drug court program; authorizing the court to impose sanctions for noncompliance; amending s. 397.334, F.S.; revising legislative intent with respect to treatment-based drug court programs to reflect participation by community support agencies, the Department of Education, and other individuals; including postadjudicatory programs as part of treatment-based drug court programs; providing requirements and sanctions, including treatment by specified licensed service providers, jail-based treatment, secure detention, or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing the chief judge of each judicial circuit to appoint an advisory committee for the treatment-based drug court program; providing for membership of the committee; revising language with respect to an annual report; amending s. 910.035, F.S.; revising language with respect to conditions for the transfer of a case in the drug court treatment

program to a county other than that in which the charge arose; amending ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing for application of the coordinated strategy developed by the drug court team; providing for expungement of certain records and pleas; removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 85—A bill to be entitled An act relating to assault or battery on security officers; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer; providing applicability; providing an effective date.

The Justice Council recommended the following:

HB 85 CS—A bill to be entitled An act relating to assault or battery; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer or specified non-sworn law enforcement agency employee; providing applicability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 815—A bill to be entitled An act relating to strangulation; amending s. 784.041, F.S.; providing that knowingly or intentionally impeding the normal breathing or circulation of the blood of another person in specified ways constitutes felony battery; providing an affirmative defense; providing penalties; providing an effective date.

—was read the second time by title.

Representative Patterson offered the following:

(Amendment Bar Code: 895161)

Amendment 1 (with title amendment)—Remove lines 22-25 and insert: or neck or by blocking the nose or mouth of the other person. This subparagraph does not apply to any act of medical diagnosis, treatment, or prescription which is authorized under the laws of this state.

===== TITLE AMENDMENT =====

Remove line 6 and insert:

battery; providing an exception; providing

Rep. Patterson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **HB 935** was temporarily postponed.

HB 1009—A bill to be entitled An act relating to real estate profession regulation; amending s. 475.161, F.S.; providing for broker associate or sales associate licensure as a professional limited liability company; amending s. 475.181, F.S.; revising and adding conditions for licensure; amending s. 475.183, F.S.; providing continuing education requirements for certain license renewal; requiring the Florida Real Estate Commission to prescribe certain continuing education courses; amending s. 475.25, F.S.; increasing a maximum disciplinary administrative fine; providing additional grounds for discipline for brokers; providing filing limitations for administrative complaints against sales associates; requiring the Department of Business and Professional Regulation or the commission to provide notification to certain persons upon the department's or commission's filing of a formal complaint against a licensee; amending s. 475.278, F.S.; revising the required information on a transaction broker notice, a single agent notice, and a no brokerage relationship notice; amending s. 475.42, F.S.; removing a cross-reference to conform to changes made by the act; amending s. 475.451, F.S.;

requiring schools teaching real estate practice to keep certain records and documents and make them available to the department; requiring certain personnel of schools teaching real estate practice to deliver course rosters to the department by a certain date; specifying the information required in a course roster; amending s. 475.453, F.S.; revising a provision relating to rental information given by a broker or sales associate to a prospective tenant; amending s. 475.701, F.S.; revising definitions; amending s. 475.707, F.S.; revising a provision relating to commission notice recording; amending s. 475.709, F.S.; clarifying provisions relating to claim of commission; amending s. 475.711, F.S.; clarifying provisions relating to actions involving disputed reserved proceeds; amending s. 475.713, F.S.; revising the award of costs and attorney's fees in civil actions concerning commission; amending s. 475.715, F.S.; revising the method by which an owner's net proceeds are computed; amending s. 475.719, F.S.; removing an exception from a buyer's broker provision shielding the rights and remedies available to an owner, a buyer, or a buyer's broker; amending s. 475.807, F.S.; revising a provision relating to the recordation of lien notices; providing that the recording of a broker's lien notice or any extension thereof and any lis pendens shall not constitute notice of the existence of any lease; amending s. 721.20, F.S.; removing a cross-reference to conform to changes made by the act; repealing s. 475.452, F.S., relating to advance fees, deposit, accounting, penalty, and damages; providing an effective date.

The Commerce Council recommended the following:

HB 1009 CS—A bill to be entitled An act relating to real estate profession regulation; amending s. 475.161, F.S.; providing for broker associate or sales associate licensure as a professional limited liability company; amending s. 475.181, F.S.; revising and adding conditions for licensure; amending s. 475.183, F.S.; providing continuing education requirements for certain license renewal; requiring the Florida Real Estate Commission to prescribe certain continuing education courses; amending s. 475.25, F.S.; increasing a maximum disciplinary administrative fine; providing additional grounds for discipline for brokers; providing filing limitations for administrative complaints against sales associates; requiring the Department of Business and Professional Regulation or the commission to provide notification to certain persons upon the department's or commission's filing of a formal complaint against a licensee; amending s. 475.278, F.S.; revising the required information on a transaction broker notice, a single agent notice, and a no brokerage relationship notice; amending s. 475.42, F.S.; removing a cross-reference to conform to changes made by the act; amending s. 475.451, F.S.; requiring schools teaching real estate practice to keep certain records and documents and make them available to the department; requiring certain personnel of schools teaching real estate practice to deliver course rosters to the department by a certain date; specifying the information required in a course roster; amending s. 475.453, F.S.; revising a provision relating to rental information given by a broker or sales associate to a prospective tenant; amending s. 475.701, F.S.; revising definitions; amending s. 475.707, F.S.; revising a provision relating to commission notice recording; amending s. 475.709, F.S.; clarifying provisions relating to claim of commission; amending s. 475.711, F.S.; clarifying provisions relating to actions involving disputed reserved proceeds; amending s. 475.713, F.S.; revising the award of costs and attorney's fees in civil actions concerning commission; amending s. 475.715, F.S.; revising the method by which an owner's net proceeds are computed; amending s. 475.719, F.S.; removing an exception from a buyer's broker provision shielding the rights and remedies available to an owner, a buyer, or a buyer's broker; amending s. 475.807, F.S.; revising a provision relating to the recordation of lien notices; providing that the recording of a broker's lien notice or any extension thereof and any lis pendens shall not constitute notice of the existence of any lease; amending s. 721.20, F.S.; removing a cross-reference to conform to changes made by the act; repealing s. 475.452, F.S., relating to advance fees, deposit, accounting, penalty, and damages; providing an effective date.

—was read the second time by title.

The House considered the following late-filed amendment.

Representative(s) Cretul offered the following:

(Amendment Bar Code: 447109)

Amendment 1 (with directory and title amendments)—Remove line(s) 326-329 and insert:

(u) Has failed, if a broker, to direct, control, or manage a broker associate or sales associate employed by such broker. A rebuttable presumption exists that a broker associate or sales associate is employed by a broker if the records of the department establish that the broker associate or sales associate is registered with that broker. A record of licensure which is certified or authenticated in such form as to be admissible in evidence under the laws of the state is admissible as prima facie evidence of such registration.

Rep. Cretul moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 935—A bill to be entitled An act relating to temporary buildings; amending s. 553.37, F.S.; considering certain buildings as temporary; providing foundation requirements for such buildings; exempting such buildings from soil and foundation requirements of the Florida Building Code; providing an exception; providing an effective date.

The Local Government Council recommended the following:

HB 935 CS—A bill to be entitled An act relating to temporary buildings; amending s. 553.37, F.S.; considering certain buildings as temporary; extending the certificate of occupancy for a temporary building for a limited time; providing foundation requirements for such buildings; exempting such buildings from soil and foundation requirements of the Florida Building Code; providing exceptions; providing an effective date.

—was read the second time by title.

Representative Benson offered the following:

(Amendment Bar Code: 277103)

Amendment 1 (with title amendment)—Between lines 35 and 36, insert:

Section 2. The Florida Building Commission shall define within the Florida Building Code the terms "temporary manufactured structures" and "temporary manufactured buildings" as structures and buildings that are used for a period of 2 years or less. The commission shall also provide within the Florida Building Code standards and criteria for installation of temporary buildings and structures that account for their temporary use and that ensure the safety of occupants, the cost of the foundation designs, and the integrity of the building's installation. The standards and criteria shall not discriminate against materials, products, methods, and systems of construction of demonstrated capabilities. The commission shall also develop criteria for a 2-year extension of the period of time that a temporary structure or building can be used upon application of the possessor of the structure or building and inspection by the authority having jurisdiction. The commission shall adopt these standards and criteria into the Florida Building Code, and the standards shall take effect not later than July 1, 2008.

===== TITLE AMENDMENT =====

Remove line 12 and insert:

Building Code; providing exceptions; requiring the Florida Building Commission to define certain terms and provide certain standards and criteria within the Florida Building Code for temporary structures or buildings; requiring the commission to adopt such standards and criteria by a specified time; providing an

Rep. Benson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 1557—A bill to be entitled An act relating to the Wekiva Onsite Disposal System Compliance Grant Program; creating the program in the Department of Health; providing purposes; authorizing certain property owners in certain areas of the Wekiva basin to apply for grants for certain purposes; providing grant limitations; providing for annual adjustments of the amount of the grants; providing for the grant as a rebate of costs incurred; requiring documentation of costs; requiring the department to adopt rules to administer the grant program; providing an appropriation; providing an effective date.

The Health Care Appropriations Committee recommended the following:

HB 1557 CS—A bill to be entitled An act relating to the Wekiva Onsite Sewage Treatment and Disposal System Compliance Grant Program; creating the program in the Department of Health; providing purposes; authorizing certain property owners in certain areas of the Wekiva basin to apply for grants for certain purposes; providing grant limitations; providing for annual adjustments of the amount of the grants; providing for the grant as a rebate of costs incurred; requiring documentation of costs; requiring the Department of Health to adopt rules to administer the grant program; specifying implementation as contingent upon appropriation; requiring the Department of Environmental Protection to conduct a study of sources of nitrogen input into the Wekiva River and associated springs; requiring the Department of Health to contract for an independent study of sources of nitrogen input from onsite sewage treatment and disposal systems into the Wekiva River and associated springs; requiring reports; providing report requirements; suspending certain department rulemaking until study completion; requiring the Department of Environmental Protection and Department of Health to submit copies of the reports to the Legislature; requiring the Department of Health to develop proposed rules for a model proposal applying to operation and maintenance of onsite sewage treatment and disposal systems in certain areas; specifying a rule criterion; providing appropriations; providing an effective date.

—was read the second time by title.

Representative(s) Brummer offered the following:

(Amendment Bar Code: 875015)

Amendment 1 (with title amendment)—Remove lines 86-104 and insert: inputs into the river and associated springs. The Department of Environmental Protection shall submit a report to the President of the Senate and the Speaker of the House of Representative before the 2007 Regular Session of the Legislature.

(b) The Department of Health shall contract for a study by an independent entity to identify and quantify the nitrogen loading from onsite wastewater treatment systems within the Wekiva Study Area. The objectives of the study shall be determined by the Department of Health's Technical Review and Advisory Panel which shall also have oversight of the study. The Department of Health shall present a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 1, 2007. The report shall assess whether onsite wastewater treatment systems are a significant source of nitrogen to the underlying groundwater relative to other sources and shall recommend a range of possible cost-effective onsite wastewater treatment system nitrogen reduction strategies if contributions are significant. Rulemaking pursuant to s. 369.318(2), Florida Statutes, shall be suspended until the completion of the study.

===== T I T L E A M E N D M E N T =====

Remove lines 20-28 and insert:

and associated springs; requiring a report to the Legislature; requiring the Department of Health to contract for independent studies of sources of nitrogen input from onsite wastewater and sewage treatment and disposal systems into the Wekiva Study Area; requiring a report to the Legislature; providing report requirements; suspending certain department rulemaking until study completion; requiring the Department

Rep. Brummer moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 535—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing legislative intent; prohibiting bullying and harassment during education programs and activities, on school buses, or through use of data or computer software accessed through computer systems of certain educational institutions; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop model policies; providing immunity; providing restrictions with respect to defense of an action and application of the section; requiring department approval of a school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing an effective date.

The Education Council recommended the following:

HB 535 CS—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying and harassment during education programs and activities, on school buses, or through use of data or computer software accessed through computer systems of certain educational institutions; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop model policies; providing immunity; providing restrictions with respect to defense of an action and application of the section; requiring department approval of a school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing an effective date.

—was read the second time by title.

Representatives Sobel and Bendross-Mindingall offered the following:

(Amendment Bar Code: 541739)

Amendment 1—Remove line(s) 51-93 and insert:

8. Sexual, religious, or racial harassment;

9. Public humiliation; or

10. Destruction of property.

(b) "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;

2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or

3. Has the effect of substantially disrupting the orderly operation of a school.

(c) Definitions in s. 815.03 relating to computer crimes and s. 784.048 relating to stalking are applicable to this section.

(d) The terms "bullying" and "harassment" include:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed in paragraph (a) or paragraph (b) by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:

a. Incitement or coercion;

b. Accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system; or

c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

(4) By September 1, 2006, each school district shall adopt a policy prohibiting bullying and harassment on school property, at a school-related or school-sponsored program or activity, on a school bus, or through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the district school system.

Rep. Sobel moved the adoption of the amendment.

Representatives Bogdanoff, Gottlieb, and Sobel offered the following:

(Amendment Bar Code: 018343)

Substitute Amendment 1—Remove line(s) 51-93 and insert:

8. Sexual, religious, or racial harassment;

9. Public humiliation; or

10. Destruction of property.

(b) "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;

2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or

3. Has the effect of substantially disrupting the orderly operation of a school.

(c) Definitions in s. 815.03 relating to computer crimes and s. 784.048 relating to stalking are applicable to this section.

(d) The terms "bullying" and "harassment" include:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of conduct listed in paragraph (a) or paragraph (b) by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:

a. Incitement or coercion;

b. Accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system; or

c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

(4) By September 1, 2006, each school district shall adopt a policy prohibiting bullying and harassment on school property, at a school-related or school-sponsored program or activity, on a school bus, or through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of the district school system. The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law.

Rep. Bogdanoff moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7031—A bill to be entitled An act relating to the Department of State; amending s. 15.09, F.S.; providing for deposit of certain reinstatement fees, late fees, and penalties collected by the Division of Corporations of the Department of State into the Florida Fine Arts Trust Fund rather than the General Revenue Fund; providing for disbursement of such revenues to fund cultural and historical preservation grants and programs; amending s. 265.606, F.S.; deleting a requirement for local sponsoring organizations to submit an annual postaudit to the Division of Cultural Affairs under certain circumstances; providing for the reversion of the state's matching share of cultural endowment to the Florida Fine Arts Trust Fund rather than the General Revenue Fund under certain circumstances; providing for distribution of reverted funds; amending s. 267.174, F.S.; changing the dates

for the first meeting of the Discovery of Florida Quincentennial Commemoration Commission, the completion of the initial draft of a specified master plan, and the submission of the completed master plan; providing an effective date.

The State Infrastructure Council recommended the following:

HB 7031 CS—A bill to be entitled An act relating to the Department of State; amending s. 265.285, F.S.; clarifying terms of appointment to the Florida Arts Council; removing obsolete language; amending s. 265.606, F.S.; deleting a requirement for local sponsoring organizations to submit an annual postaudit to the Division of Cultural Affairs under certain circumstances; providing for deposit of the state's matching share of cultural endowment to the Florida Fine Arts Trust Fund rather than reversion to the General Revenue Fund; requiring that authority to disburse funds is subject to notice and review procedures; providing for reversion of funds to the General Revenue Fund under certain circumstances; amending s. 267.174, F.S.; changing the dates for the first meeting of the Discovery of Florida Quincentennial Commemoration Commission, the completion of the initial draft of a specified master plan, and the submission of the completed master plan; amending s. 272.129, F.S.; transferring responsibility for the Florida Historic Capitol from the Department of State to the Legislature; providing for allocation of certain space for preservation, museum, and cultural programs of the Legislature; requiring the maintenance of the Florida Historic Capitol pursuant to certain historic preservation standards and guidelines; removing responsibility of the Department of Management Services for security of the Historic Capitol and adjacent grounds; amending s. 272.135, F.S.; requiring the Capitol Curator to be appointed by the President of the Senate and the Speaker of the House of Representatives; deleting rulemaking authority of the Department of State to conform; amending s. 607.193, F.S.; correcting references to repealed sections of Florida Statutes within provisions relating to the annual supplemental corporate fee imposed on each business entity authorized to transact business in this state; providing an effective date.

—was read the second time by title.

Representative Detert offered the following:

(Amendment Bar Code: 435039)

Amendment 1 (with directory and title amendments)—Between lines 222 and 223, insert:

Section 7. Subsection (2) of section 257.05, Florida Statutes, is amended to read:

257.05 Public documents; delivery to, and distribution by, division.--

(2)(a) Each state official, state department, state board, state court, or state agency issuing public documents shall furnish the Division of Library and Information Services of the Department of State 35 copies of each of those public documents, as issued, for deposit in and distribution by the division. However, if the division so requests, as many as 15 additional copies of each public document shall be supplied to it.

(b) If any state official, state department, state board, state court, or state agency has fewer than 40 copies of any public document, it shall supply the division with 2 copies of each such public document for deposit in the State Library.

(c) By December 31 of each year, any state official, state department, state board, state court, or state agency issuing public documents shall furnish to the division a list of all public documents, including each publication that is on the agency's website, issued by the official, department, board, court, or agency during that calendar year.

(d)(e) As issued, daily journals and bound journals of each house of the Legislature; slip laws and bound session laws, both general and special; and Florida Statutes and supplements thereto shall be furnished to the division by the state official, department, or agency having charge of their distribution. The number of copies furnished shall be determined by requests of the

division, which number in no case may exceed 35 copies of the particular publication.

Section 8. Section 283.31, Florida Statutes, is amended to read:

283.31 Records of executive agency publications.--Each agency shall maintain a record of any publication, as defined in s. 257.05, the printing of which costs in excess of the threshold amount provided in s. 287.017 for CATEGORY THREE, at least part of which is paid for by state funds appropriated by the Legislature. Such record shall also contain the following: written justification of the need for such publication, purpose of such publication, legislative or administrative authority, sources of funding, frequency and number of issues, and reasons for deciding to have the publication printed in-house, by another agency or the Legislature, or purchased on bid. In addition, such record shall contain the comparative costs of alternative printing methods when such costs were a factor in deciding upon a method. The record of the corporation operating the correctional industry printing program shall include the cost of materials used, the cost of labor, the cost of overhead, the amount of profit made by the corporation for such printing, and whether the state agencies that contract with the corporation for printing are prudently determining the price paid for such printing.

Section 9. Section 283.55, Florida Statutes, is amended to read:

283.55 Purging of publication mailing lists.--

(1) By March 1 of each odd-numbered year, every agency shall survey the addresses on each of its publication mailing lists by providing each addressee the following form, which must also disclose whether the publication is available on the agency's website:

...(Name of publication)...

Please choose one of the following options:

☐ I would like to receive this publication in hard copy format.

☐ I would like to receive this publication in electronic format. My e-mail address is: _____.

☐ I do not wish to receive this publication.

~~Do you wish to continue receiving this publication? Yes _____ No _____~~

Should your response to this survey not be received by April 30, your name will be automatically purged from our mailing list. Those addressees who respond shall be maintained or removed from such mailing list in accordance with the responses. Those addressees not responding by April 30 of such odd-numbered year shall be automatically purged from such mailing list. Agencies are prohibited from supplying addressees with postpaid response forms.

(2) The provisions of this section apply to any agency, except a state university or an agency the mailing list of which consists only of those persons registered with or licensed by the agency and the registration or license fee of which includes payment by the registrants or licensees as subscribers for the publication of the agency.

===== T I T L E A M E N D M E N T =====

Remove line 41 and insert:

state; amending s. 257.05, F.S.; requiring that each state official, agency, board, and court provide to the Division of Library and Information Services of the Department of State an annual list of public documents issued by the official, agency, board, or court; amending s. 283.31, F.S.; defining the term "publication" for purposes of a requirement that an executive agency maintain records of certain publication costs; amending s. 283.55, F.S.; revising the form used by each state agency for the purpose of purging publication mailing lists; providing an effective date.

THE SPEAKER IN THE CHAIR

Rep. Detert moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 755—A bill to be entitled An act relating to the Department of the Lottery; amending s. 24.109, F.S.; requiring the administrative law judge to conduct certain reviews in a competitive procurement protest; providing an effective date.

The Business Regulation Committee recommended the following:

HB 755 CS—A bill to be entitled An act relating to the Department of the Lottery; amending s. 24.109, F.S.; requiring an administrative law judge to conduct certain reviews in a competitive procurement protest and providing guidelines for such review; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1367—A bill to be entitled An act relating to contracting exemptions; amending ss. 489.103 and 489.503, F.S.; revising exemptions for certain owners of property from certain contracting provisions; increasing maximum construction costs allowed for exemption; requiring owners of property to satisfy certain local permitting agency requirements; providing for penalties; providing an exemption for owners of property damaged by certain natural causes; providing an effective date.

The Commerce Council recommended the following:

HB 1367 CS—A bill to be entitled An act relating to contracting exemptions; amending ss. 489.103 and 489.503, F.S.; revising exemptions for certain owners of property from certain contracting provisions; increasing maximum construction costs allowed for exemption; requiring owners of property to satisfy certain local permitting agency requirements; providing for penalties; providing an exemption for owners of property damaged by certain natural causes; amending s. 489.128, F.S.; providing that a business organization entering into a construction contract is not deemed unlicensed under certain conditions; providing for retroactive application; providing an effective date.

—was read the second time by title.

Representative(s) Evers offered the following:

(Amendment Bar Code: 858789)

Amendment 1 (with title amendment)—Remove line(s) 160-191.

===== T I T L E A M E N D M E N T =====

Remove line(s) 13-16 and insert:
damaged by certain natural causes;

Rep. Evers moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 247—A bill to be entitled An act relating to the Beverage Law; creating s. 561.585, F.S.; authorizing direct shipment of wine into this state for personal consumption or vendor resale; requiring licensure of direct shippers; providing eligibility requirements to be licensed; requiring recipient to be 21 years of age or older or a vendor licensed to sell alcoholic beverages for resale; requiring proof of age and signature of recipient; requiring monthly reports by direct shippers; requiring payment of taxes by direct shippers; providing for jurisdiction; providing administrative and criminal penalties; amending ss. 561.54 and 561.545, F.S., to conform to the provisions of s. 561.585, F.S.; amending s. 561.57, F.S.; including Internet sales as sales construed to be actually made at the vendor's licensed place of business; exempting common carriers from certain report filing requirements; requiring common carriers to verify the age of persons receiving shipments; providing a defense to certain actions; providing an effective date.

The Commerce Council recommended the following:

HB 247 CS—A bill to be entitled An act relating to the Beverage Law; creating s. 561.585, F.S.; authorizing certain direct shipments of wine; requiring licensure of winery shippers; providing requirements for licensure; providing prohibitions; requiring that a winery shipper licensee file a surety

bond with the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; requiring that each container of wine shipped directly be labeled with a notice; requiring monthly reports by winery shipper licensees; providing limitations on the amount of wine a winery shipper may ship or cause to be shipped; limiting the size of wine containers; limiting the amount of wine a purchaser can purchase or cause to be shipped; providing age requirements for those receiving direct shipments of wine; providing a defense to certain actions; requiring the collection, remittance, and payment of certain taxes by direct shippers; requiring that winery shippers maintain certain records for a certain time period; providing for jurisdiction; providing penalties; amending s. 561.14, F.S.; classifying the winery shipper license; amending s. 561.54, F.S.; removing a provision requiring that the licensee be aggrieved by a violation involving prohibited delivery from without the state to have standing to bring an action; exempting from such prohibition shipment of wine by a winery shipper licensee; amending s. 561.545, F.S.; exempting applicability of the prohibition against direct shipment of alcoholic beverages to the shipment of wine by a winery shipper licensee; amending s. 561.57, F.S.; providing that Internet orders shall be construed as telephone orders; exempting common carriers, licensees, or other persons utilizing common carriers as their agents from certain report filing requirements; requiring common carriers to verify the age of persons receiving shipments; providing a defense to certain actions; providing criteria for the defense; amending s. 599.004, F.S.; revising qualifications for the certification of Florida Farm Wineries; amending s. 561.24, F.S.; revising an effective date; authorizing certain manufacturers of wine holding a distributor's license to renew such license; removing exemption of Florida Farm Wineries from prohibition against manufacturer being licensed as distributor or registered as exporter; providing for severability; providing for nonimpairment of contracts; providing for rulemaking authority; authorizing additional positions; providing appropriations; providing an effective date.

—was read the second time by title.

Further consideration of **HB 247** was temporarily postponed.

HB 7073—A bill to be entitled An act relating to health care information; providing a short title; providing purpose; amending s. 408.05, F.S.; renaming the State Center for Health Statistics; revising criteria for collection and use of certain health-related data; providing responsibilities of the Agency for Health Care Administration; providing for agency consultation with the State Consumer Health Information and Policy Advisory Council for the dissemination of certain consumer information; requiring the Florida Center for Health Information and Policy Analysis to provide certain technical assistance services; authorizing the agency to monitor certain grants; removing a provision that establishes the Comprehensive Health Information System Trust Fund as the repository of certain funds; renaming the State Comprehensive Health Information System Advisory Council; providing for duties and responsibilities of the State Consumer Health Information and Policy Advisory Council; providing for membership, terms, officers, and meetings; amending s. 408.061, F.S.; providing for health care providers to submit additional data to the agency; correcting a reference; amending s. 408.062, F.S.; revising provisions relating to availability of specified information on the agency's Internet website; requiring a report; removing an obsolete provision; authorizing the agency to develop an electronic health information network; amending ss. 20.42, 381.001, 395.602, 395.6025, 408.07, and 408.18, F.S.; conforming references to changes made by the act; amending ss. 381.026, 395.301, 465.0244, 627.6499, and 641.54, F.S.; conforming a cross-reference; providing an effective date.

The Health & Families Council recommended the following:

HB 7073 CS—A bill to be entitled An act relating to health care information; providing a short title; providing purpose; amending s. 408.05, F.S.; renaming the State Center for Health Statistics; revising criteria for collection and use of certain health-related data; providing responsibilities of the Agency for Health Care Administration; providing for agency consultation

with the State Consumer Health Information and Policy Advisory Council for the dissemination of certain consumer information; requiring the Florida Center for Health Information and Policy Analysis to provide certain technical assistance services; authorizing the agency to monitor certain grants; removing a provision that establishes the Comprehensive Health Information System Trust Fund as the repository of certain funds; renaming the State Comprehensive Health Information System Advisory Council; providing for duties and responsibilities of the State Consumer Health Information and Policy Advisory Council; providing for membership, terms, officers, and meetings; amending s. 408.061, F.S.; providing for health care providers to submit additional data to the agency; correcting a reference; amending s. 408.062, F.S.; revising provisions relating to availability of specified information on the agency's Internet website; requiring a report; removing an obsolete provision; authorizing the agency to develop an electronic health information network; amending ss. 20.42, 381.001, 395.602, 395.6025, 408.07, and 408.18, F.S.; conforming references to changes made by the act; amending ss. 381.026, 395.301, 627.6499, and 641.54, F.S.; conforming a cross-reference; amending s. 465.0244, F.S.; conforming a cross-reference; prohibiting pharmacies from entering into contracts with insurers and health maintenance organizations under certain circumstances; providing communication criteria for insurers and health maintenance organizations; providing an effective date.

—was read the second time by title.

On motion by Rep. Benson, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Benson offered the following:

(Amendment Bar Code: 053325)

Amendment 1—Remove line(s) 513 and insert:
acute or chronic. Performance outcome indicators shall be risk

Rep. Benson moved the adoption of the amendment, which was adopted.

Representative(s) Garcia offered the following:

(Amendment Bar Code: 091793)

Amendment 2 (with title amendment)—Between line(s) 769 and 770, insert:

(3) An agreement among any of the following:

(a) The holder of a pharmacy permit issued under this chapter;

(b) A health maintenance organization licensed under part I of chapter 641;

(c) A health insurer licensed under chapter 624; or

(d) An agent, employee, administrator, intermediary, assignee, or designee of any of the entities specified in this subsection,

shall not contain any term or condition that prohibits, restricts, or discourages the communication of information relating to prescription drug pricing, including, but not limited to, reimbursement formulas, dispensing fees, discounts, exclusive buying arrangements, guarantees, or rebates.

===== TITLE AMENDMENT =====

Remove line(s) 39 and insert:

for pharmacies, health insurers, health maintenance organizations, and any agent, employee, administrator, intermediary, assignee, or designee thereof;

Rep. Garcia moved the adoption of the amendment.

Representative(s) Garcia offered the following:

(Amendment Bar Code: 256777)

Substitute Amendment 2 (with title amendment)—Remove line(s) 764-769 and insert:

(2) An agreement among any of the following:

(a) The holder of a pharmacy permit issued under this chapter;
(b) A health maintenance organization licensed under part I of chapter 641;
(c) A health insurer licensed under chapter 624; or
(d) An agent, employee, administrator, intermediary, assignee, or designee
of any of the entities specified in this subsection.

shall not contain any term or condition that prohibits, restricts, or discourages
the communication of information relating to prescription drug pricing,
including, but not limited to, reimbursement formulas, dispensing fees,
discounts, exclusive buying arrangements, guarantees, or rebates.

===== TITLE AMENDMENT =====

Remove line(s) 39 and insert:
 for pharmacies, health insurers, health maintenance organizations, and any
 agent, employee, administrator, intermediary, assignee, or designee thereof;

Rep. Garcia moved the adoption of the substitute amendment, which was
 adopted.

Representative(s) Garcia offered the following:

(Amendment Bar Code: 955367)

Amendment 3 (with title amendment)—Between lines 792 and 793,
 insert:

Section 17. For the purpose of protecting and ensuring the safety and
security of the data held by the Agency for Health Care Administration, as
described in s. 408.061, Florida Statutes, the agency shall be responsible for
ensuring that data and data backup systems are housed at a secure facility that
meets or exceeds the following requirements:

- (a) The facility must be located in the state;
- (b) The facility must be designated as a critical facility by the county
emergency management agency, under s. 252.38, Florida Statutes, in the
county where the facility is located;
- (c) The facility must be designed to withstand a category 5 hurricane and
be outside the 500-year flood zone established by the Federal Emergency
Management Agency;
- (d) The facility must have six or more tier-one telecommunication carriers
deployed at the facility;
- (e) The facility must have commercial power supplied by at least two
separate substation feeders and must be able to operate continuously for at
least 5 days on its own power generation systems without refueling should
such commercial power be interrupted; and
- (f) The facility has successfully undergone a Statement on Auditing
Standards (SAS) No. 70 review, representing that the facility has been
through an in-depth review of the security and information technology
control process relating to its operation.

===== TITLE AMENDMENT =====

Between lines 39 and 40, insert:
 providing responsibility of the Agency for Health Care Administration for
 security of certain data and backup systems; providing requirements for a
 secure storage facility;

Rep. Garcia moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 247—A bill to be entitled An act relating to the Beverage Law;
 creating s. 561.585, F.S.; authorizing certain direct shipments of wine;
 requiring licensure of winery shippers; providing requirements for licensure;
 providing prohibitions; requiring that a winery shipper licensee file a surety
 bond with the Division of Alcoholic Beverages and Tobacco of the
 Department of Business and Professional Regulation; requiring that each
 container of wine shipped directly be labeled with a notice; requiring
 monthly reports by winery shipper licensees; providing limitations on the
 amount of wine a winery shipper may ship or cause to be shipped; limiting

the size of wine containers; limiting the amount of wine a purchaser can
 purchase or cause to be shipped; providing age requirements for those
 receiving direct shipments of wine; providing a defense to certain actions;
 requiring the collection, remittance, and payment of certain taxes by direct
 shippers; requiring that winery shippers maintain certain records for a certain
 time period; providing for jurisdiction; providing penalties; amending s.
 561.14, F.S.; classifying the winery shipper license; amending s. 561.54,
 F.S.; removing a provision requiring that the licensee be aggrieved by a
 violation involving prohibited delivery from without the state to have
 standing to bring an action; exempting from such prohibition shipment of
 wine by a winery shipper licensee; amending s. 561.545, F.S.; exempting
 applicability of the prohibition against direct shipment of alcoholic beverages
 to the shipment of wine by a winery shipper licensee; amending s. 561.57,
 F.S.; providing that Internet orders shall be construed as telephone orders;
 exempting common carriers, licensees, or other persons utilizing common
 carriers as their agents from certain report filing requirements; requiring
 common carriers to verify the age of persons receiving shipments; providing
 a defense to certain actions; providing criteria for the defense; amending s.
 599.004, F.S.; revising qualifications for the certification of Florida Farm
 Wineries; amending s. 561.24, F.S.; revising an effective date; authorizing
 certain manufacturers of wine holding a distributor's license to renew such
 license; removing exemption of Florida Farm Wineries from prohibition
 against manufacturer being licensed as distributor or registered as exporter;
 providing for severability; providing for nonimpairment of contracts;
 providing for rulemaking authority; authorizing additional positions;
 providing appropriations; providing an effective date.

—was taken up, having been read the second time earlier today.

On motion by Rep. Bogdanoff, by the required two-thirds vote, the House
 agreed to consider the following late-filed amendment.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 175531)

Amendment 1—Remove line 67 and insert:
a winery shipper's license, an applicant must:

Rep. Bogdanoff moved the adoption of the amendment.

On motion by Rep. Bogdanoff, by the required two-thirds vote, the House
 agreed to consider the following late-filed substitute amendment.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 555427)

Substitute Amendment 1—Remove lines 111-112 and insert:

(c) The division may not issue an initial license under this section if the
applicant is owned by a winery that

Rep. Bogdanoff moved the adoption of the substitute amendment, which
 was adopted.

Representative Planas offered the following:

(Amendment Bar Code: 278785)

Amendment 2—Remove lines 93-378 and insert:

5. Pay an annual license fee in the amount of \$250.
6. File with the division a surety bond acceptable to the division in the sum
of \$5,000 as surety for the payment of all taxes provided that when, at the
discretion of the division, the amount of business done by the winery shipper
licensee is such volume that a bond of less than \$5,000 will be adequate, the
division may accept a bond in a lesser sum but not less than \$1,000. The surety
bond currently on file with the division for a winery pursuant to s. 561.37 is
deemed to comply with this requirement. Upon written request of the winery
shipper, the division shall review the total tax liability to the state by the

winery shipper and reduce the bond to 110 percent of the prior year's total tax liability as a licensee under this section but not less than \$1,000.

(b) Applicants under this section may obtain a temporary initial license as authorized in s. 561.181.

(c) Winery shipper licensees may not ship or cause to be shipped more than 18 cases of wine per calendar year to one adult individual. For purposes of this section, a case is defined as a container or containers that contain no more than 9,000 milliliters of wine.

(d) Licensees shall comply with s. 564.05, which limits the size of wine containers.

(e) Purchasers shall not purchase or cause to be shipped more than 18 cases of wine per calendar year to any adult individual.

(2) LABEL.--Each winery shipper licensee shall ensure that the outside shipping label on each package is conspicuous and includes the following components:

(a) This package contains alcohol.

(b) An adult signature is required.

(c) The recipient must be at least 21 years of age.

(3) SIGNATURE.--

(a) Each winery shipper licensee and common carrier shall require, prior to delivery, that the signature of the addressee or other person at least 21 years of age is obtained after presentation of a valid driver's license, an identification card issued under the provisions of s. 322.051, or, if the person is physically handicapped, a comparable identification card issued by another state which indicates the person's age, a passport, or a United States Uniformed Services identification card.

(b) A winery shipper licensee or common carrier who violates this subsection shall have a complete defense to any civil action therefor, except for any administrative action by the division, if, at the time the alcoholic beverage was sold, given, delivered, or transferred, the person falsely evidenced that he or she was of legal age to purchase or consume the alcoholic beverage and the appearance of the person was such that an ordinarily prudent person would believe him or her to be of legal age to purchase or consume the alcoholic beverage and if the winery shipper licensee or common carrier acted in good faith and in reliance upon the representation and appearance of the person in the belief that he or she was of legal age to purchase or consume the alcoholic beverage and carefully checked one of the following forms of identification with respect to the person: a valid driver's license, an identification card issued under the provisions of s. 322.051, or, if the person is physically handicapped, a comparable identification card issued by another state which indicates the person's age, a passport, or a United States Uniformed Services identification card.

(4) MONTHLY REPORT.--

(a) Each winery shipper licensee shall report monthly to the division on forms prescribed by the division:

1. Whether any wine product was shipped into or within this state under this section during the preceding month.

2. The total amount of wine shipped into or within this state under this section during the preceding month.

3. The quantity and types of wine shipped into or within this state under this section during the preceding month.

4. The amount of excise tax paid to the division for shipments of wine into or within this state under this section during the preceding month.

(b) The report required by this subsection is not required from a winery shipper licensee who files a monthly report pursuant to s. 561.55 that contains all the information required in paragraph (a). The division is authorized to prescribe the format for submission of this information in order that duplicate filings are eliminated.

(5) TAXES.--

(a) Each winery shipper licensee shall collect and remit monthly to the Department of Revenue all sales taxes and pay to the division all excise taxes due on sales to persons in this state for the preceding month. Notwithstanding s. 212.0596, the amount of such taxes shall be calculated as if the sale took place at the location where the delivery occurred in this state.

(b) Each winery shipper licensee shall maintain for at least 3 years after the date of delivery records of its shipments into or within this state pursuant to this section, including the names, addresses, amounts, and dates of all

shipments to persons in this state, and shall allow the Department of Revenue or the division, upon request, to perform an audit of such records.

(c) The cost of performing an audit under paragraph (b) shall be assigned to the agency requesting the audit unless the winery shipper licensee is found to be in material violation of this subsection, in which case the cost of the audit shall be assigned to the licensee.

(6) JURISDICTION.--Each winery shipper licensee is deemed to have consented to the jurisdiction of the division or any other state agency or local law enforcement agency and the courts of this state concerning enforcement of this section and any related laws or rules.

(7) PENALTIES.--

(a) In addition to any other penalty provided in the Beverage Law, the division may suspend or revoke a winery shipper license or impose fines on the winery shipper licensee in an amount not to exceed \$1,000 per violation for any violation of this section.

(b) A winery shipper licensee that knowingly and intentionally ships, or causes to be shipped, wine to any person in this state who is under 21 years of age commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Any common carrier, permit carrier, or other commercial conveyance that knowingly and intentionally delivers wine directly to any person in this state who is under 21 years of age commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(d) A person who knowingly and intentionally obtains wine from a winery shipper licensee in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. Subsection (8) is added to section 561.14, Florida Statutes, to read:

561.14 License and registration classification.--Licenses and registrations referred to in the Beverage Law shall be classified as follows:

(8) Wineries licensed as winery shippers under s. 561.585.

Section 3. Section 561.54, Florida Statutes, is amended to read:

561.54 Certain deliveries of beverages prohibited.--

(1) It is unlawful for common or permit carriers, operators of privately owned cars, trucks, buses, or other conveyances or out-of-state manufacturers or suppliers to make delivery from without the state of any alcoholic beverage to any person, association of persons, or corporation within the state, except to qualified manufacturers, distributors, and exporters of such beverages so delivered and to qualified bonded warehouses in this state.

(2) Any licensee ~~aggrieved by a violation of this section~~ may bring an action in any court of competent jurisdiction to recover for the state all moneys obtained by common carriers or permit carriers; obtained by operators of privately owned cars, trucks, buses, or other conveyances; or obtained by out-of-state manufacturers or suppliers as a result of the delivery of alcoholic beverages in violation of this section, and may obtain a declaratory judgment that an act or practice violates this section and enjoin any person from violating this section. In addition to such relief, the court may order the confiscation and destruction of any alcoholic beverages delivered in violation of this section. In assessing damages, the court shall enter judgment against a defendant for three times the amount of the delivery charges proved or the fair market value of merchandise unlawfully brought into the state. Payment or satisfaction of any judgment under this section, other than for costs and attorney's fees, shall be made in its entirety to the state. In any successful action under this section, the court shall award the plaintiff costs and reasonable attorney's fees.

(3) This section does not apply to the shipment of wine by a winery shipper licensee to a person who is at least 21 years of age in accordance with s. 561.585.

Section 4. Section 561.545, Florida Statutes, is amended to read:

561.545 Certain shipments of beverages prohibited; penalties; exceptions.--The Legislature finds that the direct shipment of alcoholic beverages by persons in the business of selling alcoholic beverages to residents of this state in violation of the Beverage Law poses a serious threat to the public health, safety, and welfare; to state revenue collections; and to the economy of the state. The Legislature further finds that the penalties for illegal direct shipment of alcoholic beverages to residents of this state should be made adequate to ensure compliance with the Beverage Law and that the measures

provided for in this section are fully consistent with the powers conferred upon the state by the Twenty-first Amendment to the United States Constitution.

(1) Any person in the business of selling alcoholic beverages who knowingly and intentionally ships, or causes to be shipped, any alcoholic beverage from an out-of-state location directly to any person in this state who does not hold a valid manufacturer's or wholesaler's license or exporter's registration issued by the Division of Alcoholic Beverages and Tobacco or who is not a state-bonded warehouse is in violation of this section.

(2) Any common carrier or permit carrier or any operator of a privately owned car, truck, bus, or other conveyance who knowingly and intentionally transports any alcoholic beverage from an out-of-state location directly to any person in this state who does not hold a valid manufacturer's or wholesaler's license or exporter's registration or who is not a state-bonded warehouse is in violation of this section.

(3) Any person found by the division to be in violation of subsection (1) shall be issued a notice, by certified mail, to show cause why a cease and desist order should not be issued. Any person who violates subsection (1) within 2 years after receiving a cease and desist order or within 2 years after a prior conviction for violating subsection (1) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) Any common carrier or permit carrier, or any operator of a privately owned car, truck, bus, or other conveyance found by the division to be in violation of subsection (2) as a result of a second or subsequent delivery from the same source and location, within a 2-year period after the first delivery shall be issued a notice, by certified mail, to show cause why a cease and desist order should not be issued. Any person who violates subsection (2) within 2 years after receiving the cease and desist order or within 2 years after a prior conviction for violating subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) This section does not apply to:

(a) The direct shipment of sacramental alcoholic beverages to bona fide religious organizations as authorized by the division;

(b) ~~The or to~~ possession of alcoholic beverages in accordance with s. 562.15(2); or

(c) The shipment of wine in accordance with s. 561.585.

Section 5. Subsections (1) and (6) of section 561.57, Florida Statutes, are amended to read:

561.57 Deliveries by licensees.--

(1) Vendors shall be permitted to make deliveries away from their places of business of sales actually made at the licensed place of business; provided, telephone or mail orders received at vendor's licensed place of business shall be construed as a sale actually made at the vendor's licensed place of business. For purposes of this section, Internet orders shall be construed as telephone orders.

(6) Common carriers are not required to have vehicle permits to transport alcoholic beverages. Nothing in this section shall prohibit any licensee from utilizing a common carrier as his or her agent to make deliveries of alcoholic beverages within the state. Deliveries of alcoholic beverages by licensees or common carriers utilized by licensees under this section are exempt from the report filing requirements in s. 562.20. All common carriers making deliveries under this section shall verify that any person receiving alcoholic beverages is at least 21 years of age upon the delivery of such alcoholic beverages, as prescribed in division rules. Compliance with the prescribed age verification measures in s. 561.585(3) shall give the common carrier and the licensee a complete defense to any civil action thereof, except for any administrative action by the division, if, at the time the alcoholic beverage was sold, given, delivered, or transferred, the person falsely evidenced that he or she was of legal age to purchase or consume the alcoholic beverage and the appearance of the person was such that an ordinarily prudent person would believe him or her to be of legal age to purchase or consume the alcoholic beverage and if the licensee or common carrier acted in good faith and in reliance upon the representation and appearance of the person in the belief that he or she was of legal age to purchase or consume the alcoholic beverage and carefully checked one of the following forms of identification with respect to the person: a valid driver's license, an identification card issued under the provisions of s. 322.051, or, if the person is physically handicapped, a comparable

identification card issued by another state which indicates the person's age, a passport, or a United States Uniformed Services identification card.

Section 6. Subsection (1) of section 599.004, Florida Statutes, is amended to read:

599.004 Florida Farm Winery Program; registration; logo; fees.--

(1) The Florida Farm Winery Program is established within the Department of Agriculture and Consumer Services. Under this program, a winery may qualify as a tourist attraction only if it is registered with and certified by the department as a Florida Farm Winery. A winery may not claim to be certified unless it has received written approval from the department.

(a) To qualify as a certified Florida Farm Winery, a winery shall meet the following standards:

1. ~~Produce or sell less than 250,000 gallons of wine annually.~~

2. Maintain a minimum of 10 acres of owned or managed vineyards in Florida.

3. ~~Be open to the public for tours, tastings, and sales at least 30 hours each week.~~

4. ~~Make annual application to the department for recognition as a Florida Farm Winery, on forms provided by the department.~~

5. ~~Pay an annual application and registration fee of \$100.~~

Rep. Planas moved the adoption of the amendment, which failed of adoption.

On motion by Rep. Bogdanoff, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 889597)

Amendment 3 (with title amendment)—Remove line 182 and insert: place at the location where the delivery occurred in this state. The proceeds of the discretionary sales surtaxes imposed under s. 212.055 shall be deposited into an account in the Discretionary Sales Surtax Clearing Trust Fund described in s. 212.054(4)(c) and distributed as provided therein.

===== T I T L E A M E N D M E N T =====

Remove line 22 and insert:

certain taxes by direct shippers; requiring certain proceeds from discretionary sales surtaxes to be deposited into an account in the Discretionary Sales Surtax Clearing Trust Fund; requiring that winery

Rep. Bogdanoff moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7237—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, F.S.; correcting cross-references; revising provisions for terms of commissioners on the Public Service Commission; revising a reference to the office of hearing examiners; amending s. 350.011, F.S.; deleting obsolete provisions relating to a transfer of certain functions and duties to the Public Service Commission; repealing s. 350.051, F.S., relating to qualifications of the Chief Auditor of the commission; amending s. 350.06, F.S.; deleting certain provisions relating to the employment of reporters and furnishing of transcripts by the commission; revising provisions for the collection and accounting of fees for furnishing transcripts and other documents or instruments; amending s. 350.113, F.S.; removing limits on the amount of certain regulatory fees; amending s. 350.117, F.S.; removing an exception for railroads from certain audits by the commission; repealing s. 350.80, F.S., relating to regulation of certain coal slurry pipeline companies; amending s. 361.08, F.S.; removing a provision for consideration by the court of certain findings by the commission relating to coal slurry pipeline companies, to conform to changes made by the act; providing an effective date.

The Commerce Council recommended the following:

HB 7237 CS—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, F.S.; correcting cross-references; revising provisions for terms of commissioners on the Public Service Commission; revising a reference to the office of hearing examiners; amending s. 350.011, F.S.; deleting obsolete provisions relating to a transfer of certain functions and duties to the Public Service Commission; amending s. 350.012, F.S.; removing a provision for governance of the Committee on Public Service Commission Oversight; repealing s. 350.051, F.S., relating to qualifications of the Chief Auditor of the commission; amending s. 350.06, F.S.; deleting certain provisions relating to the employment of reporters and furnishing of transcripts by the commission; revising provisions for the collection and accounting of fees for furnishing transcripts and other documents or instruments; amending s. 350.113, F.S.; removing limits on the amount of certain regulatory fees; amending s. 350.117, F.S.; removing an exception for railroads from certain audits by the commission; repealing s. 350.80, F.S., relating to regulation of certain coal slurry pipeline companies; amending s. 361.08, F.S.; removing a provision for consideration by the court of certain findings by the commission relating to coal slurry pipeline companies, to conform to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1593—A bill to be entitled An act relating to cybercrime; creating s. 16.61, F.S.; creating a Cybercrime Unit within the Department of Legal Affairs; providing for powers, duties, and personnel of the unit; requiring notice to sheriffs of arrests by the unit in their jurisdictions; providing an effective date.

The Justice Council recommended the following:

HB 1593 CS—A bill to be entitled An act relating to cybercrime; creating s. 16.61, F.S.; creating the Cybercrime Office within the Department of Legal Affairs; authorizing the office to investigate certain violations of state law pertaining to the sexual exploitation of children; providing that investigators employed by the office are law enforcement officers of the state; authorizing the Attorney General to carry out certain duties and responsibilities; requiring the Attorney General to provide notice of an arrest to the local sheriff; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7065—A bill to be entitled An act relating to clandestine laboratory contamination; amending s. 893.02, F.S.; providing definitions; creating s. 893.121, F.S.; providing for quarantine of any residential property where illegal clandestine laboratory activities occurred; providing for establishment of a uniform notice and a uniform letter of notification; providing for posting of specified notice at the site of a quarantine; providing requirements for the sending of a specified letter of notification to a residential property owner or manager; providing for petitions by certain persons in circuit court to lift such quarantines under certain conditions; prohibiting specified violations relating to such quarantines; creating s. 893.122, F.S.; permitting demolition of quarantined residential property under certain conditions; providing immunity from health-based civil actions for residential property owners who have met specified clandestine laboratory decontamination standards as evidenced by specified documentation; providing an exception to such immunity for persons convicted of manufacturing controlled substances at the site; creating s. 893.123, F.S.; providing for rulemaking to adopt clandestine laboratory decontamination standards; providing for certificates of fitness to indicate that decontamination has been completed; providing requirements for the lifting of a quarantine upon demolition of the property; creating s. 893.124, F.S.; requiring the Department of Health to specify requirements for persons authorized to perform decontamination and contamination assessments; requiring the department to compile and maintain lists of decontamination and contamination assessment specialists;

providing responsibilities for decontamination specialists; permitting decontamination and contamination assessment specialists to request specified documents; providing for the issuance of certificates of fitness by contamination assessment specialists; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; providing an effective date.

The Criminal Justice Committee recommended the following:

HB 7065 CS—A bill to be entitled An act relating to clandestine laboratory contamination; amending s. 893.02, F.S.; providing definitions; creating s. 893.121, F.S.; providing for quarantine of any residential property where illegal clandestine laboratory activities occurred; providing for establishment of a uniform notice and a uniform letter of notification; providing for posting of specified notice at the site of a quarantine; providing requirements for the sending of a specified letter of notification to a residential property owner or manager; providing for petitions by certain persons in circuit court to lift such quarantines under certain conditions; prohibiting specified violations relating to such quarantines; creating s. 893.122, F.S.; permitting demolition of quarantined residential property under certain conditions; providing immunity from health-based civil actions for residential property owners who have met specified clandestine laboratory decontamination standards as evidenced by specified documentation; providing an exception to such immunity for persons convicted of manufacturing controlled substances at the site; creating s. 893.123, F.S.; providing for rulemaking to adopt clandestine laboratory decontamination standards; providing for certificates of fitness to indicate that decontamination has been completed; providing requirements for the lifting of a quarantine upon demolition of the property; creating s. 893.124, F.S.; requiring the Department of Health to specify requirements for persons authorized to perform decontamination and contamination assessments; requiring the department to compile and maintain lists of decontamination and contamination assessment specialists; providing responsibilities for decontamination specialists; permitting decontamination and contamination assessment specialists to request specified documents; providing for the issuance of certificates of fitness by contamination assessment specialists; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7021—A bill to be entitled An act relating to stolen property; amending s. 812.022, F.S.; providing that specified circumstances give rise to an inference that the person in possession of a stolen motor vehicle knew or should have known that the motor vehicle had been stolen; providing an effective date.

The Justice Council recommended the following:

HB 7021 CS—A bill to be entitled An act relating to stolen property; amending s. 812.022, F.S.; providing that specified circumstances give rise to an inference that the person in possession of a stolen motor vehicle knew or should have known that the motor vehicle had been stolen; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7137—A bill to be entitled An act relating to drug testing within the Department of Corrections; amending s. 944.474, F.S.; authorizing the department to develop a program for testing employees who are in safety-sensitive and high-risk positions for certain controlled substances based upon a reasonable suspicion; providing for the reasonable suspicion to include violent acts or behavior of an employee while on or off duty; requiring the department to adopt rules; providing an effective date.

The Governmental Operations Committee recommended the following:

HB 7137 CS—A bill to be entitled An act relating to drug testing within the Department of Corrections; amending s. 944.474, F.S.; authorizing the department to develop a program for testing employees who are in safety-sensitive and special risk positions for certain controlled substances based upon a reasonable suspicion; providing for the reasonable suspicion to include violent acts or behavior of an employee while on or off duty; requiring the department to adopt rules; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

On motion by Rep. Goodlette, the rules were waived and the House moved to the order of—

Bills and Joint Resolutions on Third Reading

HB 825—A bill to be entitled An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for reimbursement for per diem and travel expenses; providing for meetings, procedures, and records; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Department of Financial Services Administrative Trust Fund; providing for expiration of the council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 857

Speaker Bense in the Chair.

Yeas—117

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Jennings	Quinones
Altman	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimsley	Negron	Troutman
Cannon	Harrell	Patterson	Waters
Carroll	Hasner	Peterman	Williams
Clarke	Hays	Pickens	Zapata
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	
Culp	Homan	Porth	

Nays—1

Vana

Votes after roll call:

Yeas—Ambler, Traviesa

Nays to Yeas—Vana

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1141—A bill to be entitled An act relating to conveyances of land; creating s. 689.072, F.S.; providing for the transfer and creation of custodial property in an individual retirement account or certain qualified plans; incorporating statutory provisions into such transfer; providing powers to the custodian or trustee of such custodial property; providing protections for persons dealing with the custodian or trustee; exempting certain transfers from specific claims; providing for the disposition of custodial property held in an account, plan or custodianship that is terminated; providing a standard of care for the custodian or trustee; providing for certain declarations to control in specific legal proceedings; providing that provisions relating to deeds under statute of uses are not applicable to a transfer by a custodian or trustee under the act; providing for liberal construction; creating s. 694.17, F.S.; providing that certain recorded instruments transferring certain interests in real property to a custodian or trustee are ratified, confirmed, and validated; specifying vesting of such interests in the custodian or trustee; specifying nonapplication of provisions relating to deeds under statute of uses; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 858

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Hukill	Proctor
Allen	Cusack	Jennings	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Detert	Justice	Rivera
Arza	Domino	Kendrick	Robaina
Attkisson	Evers	Kottkamp	Roberson
Ausley	Farkas	Kravitz	Ross
Barreiro	Fields	Kreegel	Russell
Baxley	Flores	Kyle	Ryan
Bean	Galvano	Legg	Sands
Bendross-Mindingall	Garcia	Littlefield	Sansom
Bense	Gardiner	Llorente	Seiler
Benson	Gelber	Lopez-Cantera	Simmons
Berfield	Gibson, A.	Machek	Slosberg
Bilirakis	Gibson, H.	Mahon	Smith
Bogdanoff	Glorioso	Mayfield	Sobel
Bowen	Goldstein	McInvale	Sorensen
Brandenburg	Goodlette	Meadows	Stansel
Brown	Gottlieb	Mealor	Stargel
Brummer	Grant	Murzin	Taylor
Brutus	Greenstein	Needelman	Troutman
Bucher	Grimsley	Negron	Vana
Bullard	Harrell	Patterson	Waters
Cannon	Hasner	Peterman	Williams
Carroll	Hays	Pickens	Zapata
Clarke	Henriquez	Planas	
Coley	Holloway	Poppell	
Cretul	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Gannon, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 669—A bill to be entitled An act relating to the Criminal Justice Standards and Training Commission; creating s. 943.132, F.S.; requiring the Criminal Justice Standards and Training Commission to adopt rules for the implementation of the federal Law Enforcement Officers Safety Act of 2004; requiring the commission to develop and authorize the issuance of a uniform

firearms proficiency verification card; authorizing the use of specified facilities operating firing ranges for testing of persons other than law enforcement officers; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 859

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Hukill	Proctor
Allen	Cusack	Jennings	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Detert	Justice	Rivera
Arza	Domino	Kendrick	Robaina
Attkisson	Evers	Kottkamp	Roberson
Ausley	Farkas	Kravitz	Ross
Barreiro	Fields	Kreegel	Russell
Baxley	Flores	Kyle	Ryan
Bean	Galvano	Legg	Sands
Bendross-Mindingall	Gannon	Littlefield	Sansom
Bense	Garcia	Llorente	Seiler
Benson	Gardiner	Lopez-Cantera	Simmons
Berfield	Gelber	Machek	Slosberg
Bilirakis	Gibson, A.	Mahon	Smith
Bogdanoff	Gibson, H.	Mayfield	Sobel
Bowen	Glorioso	McInvale	Sorensen
Brandenburg	Goldstein	Meadows	Stansel
Brown	Gottlieb	Mealor	Stargel
Brummer	Grant	Murzin	Taylor
Brutus	Greenstein	Needelman	Troutman
Bucher	Grimsley	Negron	Vana
Bullard	Harrell	Patterson	Waters
Cannon	Hasner	Peterman	Williams
Carroll	Hays	Pickens	Zapata
Clarke	Henriquez	Planas	
Coley	Holloway	Poppell	
Cretul	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Goodlette, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 531—A bill to be entitled An act relating to Prosperity Campaigns; creating s. 445.057, F.S.; establishing the Florida Prosperity Campaign Council within Workforce Florida, Inc.; providing membership; providing for meetings and reimbursement for per diem and travel expenses; providing duties of the council; providing reporting requirements; providing for repeal; providing an appropriation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 860

Speaker Bense in the Chair.

Yeas—118

Adams	Barreiro	Bowen	Coley
Allen	Baxley	Brandenburg	Cretul
Altman	Bean	Brown	Culp
Ambler	Bendross-Mindingall	Brummer	Cusack
Anderson	Bense	Brutus	Davis, D.
Antone	Benson	Bucher	Davis, M.
Arza	Berfield	Bullard	Dean
Attkisson	Bilirakis	Cannon	Detert
Ausley	Bogdanoff	Clarke	Domino

Evers	Henriquez
Farkas	Holloway
Fields	Homan
Flores	Hukill
Galvano	Jennings
Gannon	Johnson
Garcia	Jordan
Gardiner	Joyner
Gelber	Justice
Gibson, A.	Kendrick
Gibson, H.	Kottkamp
Glorioso	Kravitz
Goldstein	Kreegel
Goodlette	Kyle
Gottlieb	Legg
Grant	Littlefield
Greenstein	Llorente
Grimsley	Lopez-Cantera
Harrell	Machek
Hasner	Mahon
Hays	Mayfield

Nays—None

Votes after roll call:

Yeas—Carroll, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 187—A bill to be entitled An act relating to lawful testing for alcohol, chemical substances, or controlled substances; amending s. 316.1932, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 316.1939, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing penalties for refusal to submit to testing; amending s. 327.352, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 327.359, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing penalties for refusal to submit to testing; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 861

Speaker Bense in the Chair.

Yeas—115

Adams	Bowen	Detert	Greenstein
Allen	Brandenburg	Domino	Grimsley
Altman	Brown	Evers	Harrell
Ambler	Brummer	Farkas	Hasner
Anderson	Brutus	Fields	Hays
Antone	Bucher	Flores	Henriquez
Arza	Bullard	Galvano	Holloway
Attkisson	Cannon	Gannon	Homan
Ausley	Carroll	Garcia	Hukill
Barreiro	Clarke	Gardiner	Jennings
Baxley	Coley	Gibson, A.	Johnson
Bean	Cretul	Gibson, H.	Jordan
Bendross-Mindingall	Culp	Glorioso	Joyner
Benson	Cusack	Goldstein	Justice
Berfield	Davis, D.	Goodlette	Kendrick
Bilirakis	Davis, M.	Gottlieb	Kottkamp
Bogdanoff	Dean	Grant	Kravitz

Kreegel	Needelman	Richardson	Slosberg
Kyle	Negron	Rivera	Sobel
Littlefield	Patterson	Robaina	Sorensen
Llorente	Peterman	Roberson	Stansel
Lopez-Cantera	Pickens	Ross	Stargel
Machek	Planas	Rubio	Taylor
Mahon	Poppell	Russell	Troutman
Mayfield	Porth	Ryan	Vana
McInvale	Proctor	Sands	Waters
Meadows	Quinones	Sansom	Williams
Mealor	Reagan	Seiler	Zapata
Murzin	Rice	Simmons	

Nays—2

Legg Smith

Votes after roll call:

Yeas—Gelber, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 265—A bill to be entitled An act relating to hunting lands; creating s. 372.0025, F.S.; providing definitions; requiring certain lands owned, managed, or leased by the Fish and Wildlife Conservation Commission to be used for the purpose of hunting; requiring the commission to support, promote, and enhance hunting opportunities; requiring the commission to provide comparable acreage for any loss of existing hunting lands; providing requirements for location and use of replacement lands; requiring state agencies and water management districts to allow certain lands to be used for the purpose of hunting; providing an exemption for lands within the state park system; authorizing the Department of Environmental Protection to make certain determinations relating to such lands; requiring annual reports to the commission and Legislature; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 862

Speaker Bense in the Chair.

Yeas—118

Adams	Culp	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Jennings	Quinones
Ambler	Davis, M.	Johnson	Reagan
Anderson	Dean	Jordan	Rice
Antone	Detert	Joyner	Richardson
Arza	Domino	Justice	Rivera
Attkisson	Evers	Kendrick	Robaina
Ausley	Farkas	Kottkamp	Roberson
Barreiro	Fields	Kravitz	Ross
Baxley	Flores	Kreegel	Rubio
Bean	Galvano	Kyle	Russell
Bendross-Mindingall	Gannon	Legg	Ryan
Bense	Garcia	Littlefield	Sands
Benson	Gardiner	Llorente	Sansom
Berfield	Gelber	Lopez-Cantera	Seiler
Bilirakis	Gibson, A.	Machek	Simmons
Bogdanoff	Gibson, H.	Mahon	Slosberg
Bowen	Glorioso	Mayfield	Smith
Brandenburg	Goldstein	McInvale	Sobel
Brown	Goodlette	Meadows	Sorensen
Brummer	Gottlieb	Mealor	Stansel
Brutus	Grant	Murzin	Stargel
Bucher	Greenstein	Needelman	Taylor
Bullard	Grimley	Negron	Troutman
Cannon	Harrell	Patterson	Vana
Carroll	Hasner	Peterman	Waters
Clarke	Hays	Pickens	Zapata
Coley	Henriquez	Planas	
Cretul	Holloway	Poppell	

Nays—None

Votes after roll call:

Yeas—Traviesa, Williams

So the bill passed, as amended, and was immediately certified to the Senate.

HJR 7143—A joint resolution proposing an amendment to Section 12 of Article X of the State Constitution; revising rules of construction to be used when interpreting the extent of political power vested in the legislative branch to provide that the expression of one thing does not imply the exclusion of another, unless absolutely necessary to carry out the purpose of the constitutional provision, and to provide that a limitation shall not be implied based on the comprehensiveness of the constitutional provision.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 12 of Article X of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE X MISCELLANEOUS

SECTION 12. Rules of construction.—Unless qualified in the text the following rules of construction shall apply to this constitution.

- (a) "Herein" refers to the entire constitution.
- (b) The singular includes the plural.
- (c) The masculine includes the feminine.
- (d) "Vote of the electors" means the vote of the majority of those voting on the matter in an election, general or special, in which those participating are limited to the electors of the governmental unit referred to in the text.
- (e) Vote or other action of a legislative house or other governmental body means the vote or action of a majority or other specified percentage of those members voting on the matter. "Of the membership" means "of all members thereof."

(f) The terms "judicial office," "justices" and "judges" shall not include judges of courts established solely for the trial of violations of ordinances.

(g) "Special law" means a special or local law.

(h) Titles and subtitles shall not be used in construction.

(i) In interpreting the extent of political power vested in the legislative branch by the people:

(1) The expression of one thing does not imply the exclusion of another, unless absolutely necessary to carry out the purpose of the constitutional provision.

(2) A limitation shall not be implied based on the comprehensiveness of the constitutional provision.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE X, SECTION 12

RULES OF CONSTRUCTION.—Proposing an amendment to the State Constitution to revise the rules of construction to be used when interpreting the State Constitution. The revision provides that, when interpreting the extent of political power vested in the Legislature by the people, the expression of one thing does not imply the exclusion of another, unless absolutely necessary to carry out the purpose of the constitutional provision. After the revision takes effect, the general maxim "expressio unius est exclusio alterius," which stands for the proposition that the expression of one thing is the exclusion of another, could not be applied when interpreting the extent of political power vested in the Legislature by the people except when the exclusion is necessary to carry out the purpose of the constitutional provision. In addition, the revision provides that when interpreting the extent of political power vested in the Legislature by the people, a limitation shall not be implied based on the comprehensiveness of the constitutional provision.

—was read the third time by title.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 863].

On passage, the vote was:

Session Vote Sequence: 864

Speaker Bense in the Chair.

Yeas—76

Adams	Cretul	Johnson	Pickens
Allen	Culp	Jordan	Planas
Altman	Davis, D.	Kottkamp	Poppell
Ambler	Davis, M.	Kravitz	Proctor
Anderson	Dean	Kreegel	Quinones
Arza	Domino	Kyle	Reagan
Attkisson	Evers	Legg	Rice
Barreiro	Flores	Littlefield	Rivera
Bean	Garcia	Llorente	Robaina
Bense	Gardiner	Lopez-Cantera	Ross
Benson	Gibson, H.	Mahon	Rubio
Bilirakis	Glorioso	Mayfield	Russell
Bowen	Goldstein	McInvale	Sansom
Brown	Grant	Meadows	Simmons
Brummer	Harrell	Mealor	Stargel
Cannon	Hasner	Murzin	Troutman
Carroll	Hays	Needelman	Waters
Clarke	Homan	Negron	Williams
Coley	Hukill	Patterson	Zapata

Nays—36

Antone	Farkas	Jennings	Ryan
Ausley	Fields	Joyner	Sands
Bendross-Mindingall	Gannon	Justice	Seiler
Brandenburg	Gelber	Kendrick	Slosberg
Brutus	Gibson, A.	Machek	Smith
Bucher	Gottlieb	Peterman	Sobel
Bullard	Greenstein	Porth	Stansel
Cusack	Henriquez	Richardson	Taylor
Detert	Holloway	Roberson	Vana

Votes after roll call:

Yeas—Baxley, Bogdanoff, Galvano, Traviesa

Nays—Goodlette

So the joint resolution passed, as amended, by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

HB 667—A bill to be entitled An act relating to credit counseling services; amending s. 817.801, F.S.; revising and providing definitions; amending s. 817.802, F.S., relating to unlawful fees and costs; limiting application to certain debtors; amending s. 817.804, F.S.; revising annual audit requirements; amending s. 817.805, F.S.; including creditor contributions within an authorized deduction from requirements for disbursement of funds; providing a limitation on creditor contributions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 865

Speaker Bense in the Chair.

Yeas—114

Adams	Barreiro	Brown	Cretul
Allen	Baxley	Brummer	Culp
Altman	Bean	Brutus	Cusack
Ambler	Bendross-Mindingall	Bucher	Davis, D.
Anderson	Bense	Bullard	Dean
Antone	Benson	Cannon	Detert
Arza	Bilirakis	Carroll	Domino
Attkisson	Bowen	Clarke	Evers
Ausley	Brandenburg	Coley	Farkas

Fields	Homan	Meadows	Rubio
Flores	Hukill	Mealor	Russell
Galvano	Jennings	Murzin	Ryan
Gannon	Johnson	Needelman	Sands
Garcia	Jordan	Negron	Sansom
Gardiner	Joyner	Patterson	Seiler
Gelber	Justice	Peterman	Simmons
Gibson, A.	Kendrick	Pickens	Slosberg
Gibson, H.	Kottkamp	Planas	Smith
Glorioso	Kravitz	Poppell	Sobel
Goldstein	Kreegel	Porth	Stansel
Goodlette	Kyle	Proctor	Stargel
Gottlieb	Legg	Quinones	Taylor
Grant	Littlefield	Reagan	Troutman
Greenstein	Llorente	Rice	Vana
Harrell	Lopez-Cantera	Richardson	Waters
Hasner	Machek	Rivera	Williams
Hays	Mahon	Robaina	Zapata
Henriquez	Mayfield	Roberson	
Holloway	McInvale	Ross	

Nays—None

Votes after roll call:

Yeas—Bogdanoff, Davis, M., Grimsley, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

Consideration of **HB 1029** was temporarily postponed.

HB 1077—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; revising education requirements for licensure to provide for a full-time, management-level employee of the applicant or licensee; exempting certain applicants for a new franchised motor vehicle dealer license from certain training requirements; amending s. 320.60, F.S.; revising the definition of "demonstrator" for purposes of provisions relating to manufacturing, importing, and distributing motor vehicles; amending s. 320.64, F.S.; prohibiting specified licensees from failing to pay certain compensation amounts to a motor vehicle dealer after termination of the dealer's franchise agreement; providing exceptions; providing procedures for payment of the compensation amounts; providing for certain remedies, procedures, and rights of recovery; amending s. 320.642, F.S.; deleting a requirement that certain notices be sent by certified mail; revising conditions under which an opening or reopening of the same or a successor dealer within 12 months is not considered an additional dealer subject to protest; prohibiting for a certain time proposals for a dealer of the same line-make after the opening or reopening of the dealer; providing criteria for measurements of distance between dealer locations; providing that the Department of Highway Safety and Motor Vehicles is not obligated to determine the accuracy of any distance submitted in a notice; providing for resolution of disputed distances by a hearing in accordance with specified provisions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 866

Speaker Bense in the Chair.

Yeas—116

Adams	Bean	Bullard	Detert
Allen	Bendross-Mindingall	Cannon	Domino
Altman	Bense	Carroll	Evers
Ambler	Benson	Clarke	Farkas
Anderson	Bilirakis	Coley	Fields
Antone	Bowen	Cretul	Flores
Arza	Brandenburg	Culp	Galvano
Attkisson	Brown	Cusack	Gannon
Ausley	Brummer	Davis, D.	Garcia
Barreiro	Brutus	Davis, M.	Gardiner
Baxley	Bucher	Dean	Gelber

Gibson, A.	Jordan	Murzin	Rubio
Gibson, H.	Joyner	Needelman	Russell
Glorioso	Justice	Negron	Ryan
Goldstein	Kendrick	Patterson	Sands
Goodlette	Kottkamp	Peterman	Sansom
Gottlieb	Kravitz	Pickens	Seiler
Grant	Kreegel	Planas	Simmons
Greenstein	Kyle	Poppell	Slosberg
Grimsley	Legg	Porth	Smith
Harrell	Littlefield	Proctor	Sobel
Hasner	Llorente	Quinones	Stansel
Hays	Lopez-Cantera	Reagan	Stargel
Henriquez	Machek	Rice	Taylor
Holloway	Mahon	Richardson	Troutman
Homan	Mayfield	Rivera	Vana
Hukill	McInvale	Robaina	Waters
Jennings	Meadows	Roberson	Williams
Johnson	Mealor	Ross	Zapata

Nays—None

Votes after roll call:

Yeas—Bogdanoff, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 37—A bill to be entitled An act relating to security of consumer report information; creating s. 501.005, F.S.; defining "security freeze"; authorizing a consumer to place a security freeze on his or her consumer report; providing procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer report; authorizing a consumer to allow specified temporary access to his or her consumer report during a security freeze; providing procedures with respect to such temporary access; providing for removal of a security freeze when a consumer report was frozen due to a material misrepresentation of fact by the consumer; providing applicability; authorizing a consumer reporting agency to charge a fee to place, remove, or temporarily lift a security freeze; prohibiting a consumer reporting agency from charging a fee to specified persons; authorizing the charging of a fee for the reissuance of a personal identification number; restricting the change of specified information in a consumer report when a security freeze is in effect; specifying applicability with respect to certain consumer reporting agencies; specifying entities that are exempt from placing a security freeze on a consumer report; providing for civil remedy; providing requirements with respect to written disclosure by a consumer reporting agency of procedures and consumer rights associated with a security freeze; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 867

Speaker Bense in the Chair.

Yeas—117

Adams	Brandenburg	Evers	Harrell
Allen	Brown	Farkas	Hasner
Altman	Brummer	Fields	Hays
Ambler	Brutus	Flores	Henriquez
Anderson	Bucher	Galvano	Holloway
Antone	Bullard	Gannon	Homan
Arza	Cannon	Garcia	Hukill
Attkisson	Carroll	Gardiner	Jennings
Ausley	Clarke	Gelber	Johnson
Barreiro	Coley	Gibson, A.	Jordan
Baxley	Cretul	Gibson, H.	Joyner
Bean	Culp	Glorioso	Justice
Bendross-Mindingall	Cusack	Goldstein	Kendrick
Bense	Davis, D.	Goodlette	Kottkamp
Benson	Davis, M.	Gottlieb	Kravitz
Berfield	Dean	Grant	Kreegel
Bilirakis	Detert	Greenstein	Kyle
Bowen	Domino	Grimsley	Legg

Littlefield	Patterson	Robaina	Sobel
Llorente	Peterman	Roberson	Stansel
Lopez-Cantera	Pickens	Ross	Stargel
Machek	Planas	Rubio	Taylor
Mahon	Poppell	Russell	Troutman
Mayfield	Porth	Ryan	Vana
McInvale	Proctor	Sands	Waters
Meadows	Quinones	Sansom	Williams
Mealor	Reagan	Seiler	Zapata
Murzin	Rice	Simmons	
Needelman	Richardson	Slosberg	
Negron	Rivera	Smith	

Nays—None

Votes after roll call:

Yeas—Bogdanoff, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

Consideration of **HB 127** was temporarily postponed.

Consideration of **HB 7091** was temporarily postponed.

HB 789—A bill to be entitled An act relating to damage prevention and safety for underground facilities; amending s. 556.101, F.S.; providing legislative intent that Sunshine State One-Call of Florida, Inc., is not required or permitted to locate or mark underground facilities; revising purposes of the Underground Facility Damage Prevention and Safety Act; amending s. 556.102, F.S.; correcting a reference; redefining the term "member operator" to remove an exception for a small municipality that elects not to participate in the notification system; amending ss. 556.103 and 556.104, F.S.; deleting provisions exempting a small city from membership in the Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring that specified information be placed in the excavation notification system; providing an exception for underwater excavations; providing that the information is valid for 30 calendar days; providing for a study of the feasibility of zones where no notification is required; requiring a report to the Legislature; requiring a notification number assigned to an excavator to be provided to a law enforcement officer, government code inspector, or code enforcement officer upon request; requiring that a member operator respond to the system within a specified time indicating the status of its facility protection operations; requiring the corporation to establish a communication system between member operators and excavators; requiring an excavator to verify the system's positive responses before beginning excavation; requiring operators to use a specified color-code manual; amending s. 556.106, F.S.; providing that the notification system has no duty to and may not mark or locate underground facilities; providing that a person has no right of recovery against the notification system for failing to mark or locate underground facilities; providing that the system is not liable for the failure of a member operator to comply with the requirements of the act; amending s. 556.107, F.S.; correcting cross-references; providing for the distribution of civil penalties; revising procedures for disposition of citations; authorizing the corporation to retain legal counsel to represent the corporation in certain legal proceedings; amending s. 556.108, F.S.; revising provisions that exempt excavation or demolition by the owner of residential property from specified notification requirements to exclude certain property that is subdivided or to be subdivided; providing that certain excavations are exempt from mandatory location notification if mechanized equipment is not used; exempting pest control services under certain circumstances; amending s. 556.111, F.S.; providing that specified applicability provisions do not exempt a local governmental member operator from specified provisions that apply to the member operator; amending s. 337.401, F.S.; correcting a cross-reference; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 868

Speaker Bense in the Chair.

Yeas—117

Adams	Cusack	Jennings	Quinones
Allen	Davis, D.	Johnson	Reagan
Altman	Davis, M.	Jordan	Rice
Ambler	Dean	Joyner	Richardson
Anderson	Detert	Justice	Rivera
Antone	Domino	Kendrick	Robaina
Arza	Evers	Kottkamp	Roberson
Attkisson	Farkas	Kravitz	Ross
Ausley	Fields	Kreegel	Rubio
Barreiro	Flores	Kyle	Russell
Baxley	Gannon	Legg	Ryan
Bean	Garcia	Littlefield	Sands
Bendross-Mindingall	Gardiner	Llorente	Sansom
Bense	Gelber	Lopez-Cantera	Seiler
Benson	Gibson, A.	Machek	Simmons
Berfield	Gibson, H.	Mahon	Slosberg
Bilirakis	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Troutman
Bullard	Harrell	Patterson	Vana
Cannon	Hasner	Peterman	Waters
Carroll	Hays	Pickens	Williams
Clarke	Henriquez	Planas	Zapata
Coley	Holloway	Poppell	
Cretul	Homan	Porth	
Culp	Hukill	Proctor	

Nays—None

Votes after roll call:

Yeas—Bogdanoff, Galvano, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HCB 6003 (for HBs 515, 589)—A bill to be entitled An act relating to resale of tickets; amending s. 559.9335, F.S.; deleting a provision making the sale or marketing of certain admission tickets at a price in excess of \$1 above the retail admission price charged by the original seller a violation of the Sellers of Travel Act in certain circumstances; creating s. 817.357, F.S.; providing that purchasing tickets in excess of a specified amount with the intent to resell those tickets is a violation of the Florida Deceptive and Unfair Trade Practices Act; providing a definition; amending s. 817.36, F.S.; prohibiting resale of tickets for more than \$1 above the resale admission price charged therefor by the original seller in specified circumstances; providing that the section does not authorize any individual or entity to sell or purchase tickets at any price on property where an event is being held without the prior express written consent of the owner of the property; providing for sales tax collection on ticket resales; providing an effective date.

—was read the third time by title.

Representative Stargel offered the following:

(Amendment Bar Code: 166407)

Amendment 2—Remove lines 82 through 88 and insert:

(3) Any tickets, other than the tickets in subsections (1) and (2), that are resold or offered through an Internet website, unless such website is authorized by the original ticket seller or makes and posts the following guarantees and disclosures through Internet web pages on which are visibly posted, or links to web pages on which are posted, text to which a prospective purchaser is directed before completion of the resale transaction:

Rep. Stargel moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of HCB 6003 (for HBs 515, 589). The vote was:

Session Vote Sequence: 869

Speaker Bense in the Chair.

Yeas—115

Adams	Cusack	Hukill	Porth
Allen	Davis, D.	Jennings	Proctor
Altman	Davis, M.	Johnson	Quinones
Ambler	Dean	Jordan	Reagan
Anderson	Detert	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Gannon	Kyle	Rubio
Bean	Garcia	Legg	Russell
Bendross-Mindingall	Gardiner	Littlefield	Ryan
Bense	Gelber	Llorente	Sands
Benson	Gibson, A.	Lopez-Cantera	Sansom
Berfield	Gibson, H.	Machek	Seiler
Bilirakis	Glorioso	Mahon	Simmons
Bowen	Goldstein	Mayfield	Slosberg
Brandenburg	Goodlette	McInvale	Smith
Brown	Gottlieb	Meadows	Sobel
Brummer	Grant	Mealor	Stansel
Brutus	Greenstein	Murzin	Stargel
Bullard	Grimsley	Needelman	Taylor
Cannon	Harrell	Negron	Troutman
Carroll	Hasner	Patterson	Vana
Clarke	Hays	Peterman	Waters
Coley	Henriquez	Pickens	Williams
Cretul	Holloway	Planas	Zapata
Culp	Homan	Poppell	

Nays—1

Bucher

Votes after roll call:

Yeas—Bogdanoff, Galvano, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

HB 1015—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

—was read the third time by title.

Representative(s) Mayfield offered the following:

(Amendment Bar Code: 569493)

Amendment 4 (with directory and title amendments)—Between line(s) 130 and 131, insert:

(14) Any land development regulation that designates privately owned lands exclusively for public recreational facilities, open space, or a public need or service shall be deemed to create a claim under this section if adopted without the written consent of the landowner.

===== DIRECTORY AMENDMENT =====

Remove line(s) 33 and insert:

(6) of section 70.001, Florida Statutes, are amended, and subsection (14) is added to that section, to read:

===== TITLE AMENDMENT =====

Remove line(s) 6 and insert:

private property rights; specifying that certain land development regulations shall be deemed to create a claim if adopted without certain consent; amending s. 163.3162, F.S.;

Rep. Mayfield moved the adoption of the amendment.

Representative(s) Mayfield offered the following:

(Amendment Bar Code: 022207)

Amendment 1 to Amendment 4—Remove line(s) 5 and insert:

(14) Any land development regulation that changes the land use or zoning to

Rep. Mayfield moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 4**, as amended.

Point of Order

Rep. Gannon raised a point of order under Rule 12.8, that the amendment was not germane.

Rep. Goodlette, Chair of the Rules & Calendar Council, in speaking to the point of order on Amendment 4 to HB 1015 stated that the amendment substantially expanded the scope of the bill and recommended the point be well taken.

The Chair [Speaker Bense], upon the recommendation of Rep. Goodlette, Chair of the Rules & Calendar Council, ruled the point well taken and the amendment out of order.

The question recurred on the passage of HB 1015. The vote was:

Session Vote Sequence: 870

Speaker Bense in the Chair.

Yeas—115

Adams	Bendross-Mindingall	Clarke	Fields
Allen	Bense	Coley	Flores
Altman	Benson	Cretul	Galvano
Ambler	Berfield	Culp	Gannon
Anderson	Bilirakis	Cusack	Garcia
Antone	Bowen	Davis, D.	Gardiner
Arza	Brandenburg	Davis, M.	Gelber
Attkisson	Brown	Dean	Gibson, A.
Ausley	Brutus	Detert	Gibson, H.
Barreiro	Bullard	Domino	Glorioso
Baxley	Cannon	Evers	Goldstein
Bean	Carroll	Farkas	Goodlette

Gottlieb	Kottkamp	Patterson	Ryan
Grant	Kravitz	Peterman	Sands
Greenstein	Kreegel	Pickens	Sansom
Grimsley	Kyle	Planas	Seiler
Harrell	Legg	Poppell	Simmons
Hasner	Littlefield	Porth	Slosberg
Hays	Llorente	Proctor	Smith
Henriquez	Lopez-Cantera	Quinones	Sobel
Holloway	Machek	Reagan	Stansel
Homan	Mahon	Rice	Stargel
Hukill	Mayfield	Richardson	Taylor
Jennings	McInvale	Rivera	Troutman
Johnson	Meadows	Robaina	Vana
Jordan	Mealor	Roberson	Waters
Joyner	Murzin	Ross	Williams
Justice	Needelman	Rubio	Zapata
Kendrick	Negron	Russell	

Nays—2

Brummer Bucher

Votes after roll call:

Yeas—Bogdanoff, Traviesa

Nays to Yeas—Brummer

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7163—A bill to be entitled An act relating to environmental permitting; reenacting and amending s. 373.4145, F.S.; requiring the Northwest Florida Water Management District and the Department of Environmental Protection to jointly develop rules for the regulation of certain activities related to stormwater management systems and the management and storage of surface waters; requiring the district and the department to streamline federal and state wetland permitting programs and to implement such measures; requiring certain exemptions and provisions for rules relating to certain dwellings; requiring the department and district to incorporate certain exemptions and general permits in joint rules; exempting certain activities and structures from permitting requirements; requiring the department and the district to enter into an operating agreement for the implementation of certain provisions; requiring the district to be responsible for the regulation and local delegation of certain activities; providing for continuing operation of certain earlier law; repealing certain provisions upon the adoption of rules; providing effect for failure to fund in any given fiscal year; requiring the department to negotiate with local governments in the district by a certain date for delegation of responsibility for certain permitting; requiring the department to report to the Legislature by a certain date; providing an appropriation for operational expenses of the district; repealing s. 4 of ch. 2005-273, Laws of Florida, and s. 32 of ch. 2005-71, Laws of Florida, which specified dates certain for the repeal of certain provisions relating to permitting in the district; prohibiting limitation or restriction on the protections from duplication contained in certain provisions of law; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 871

Speaker Bense in the Chair.

Yeas—118

Adams	Baxley	Brown	Culp
Allen	Bean	Brummer	Cusack
Altman	Bendross-Mindingall	Brutus	Davis, D.
Ambler	Bense	Bucher	Davis, M.
Anderson	Benson	Bullard	Dean
Antone	Berfield	Cannon	Detert
Arza	Bilirakis	Carroll	Domino
Attkisson	Bogdanoff	Clarke	Evers
Ausley	Bowen	Coley	Farkas
Barreiro	Brandenburg	Cretul	Fields

Flores	Homan	Meadows	Rubio
Galvano	Hukill	Mealor	Russell
Gannon	Jennings	Murzin	Ryan
Garcia	Johnson	Needelman	Sands
Gardiner	Jordan	Negron	Sansom
Gelber	Joyner	Patterson	Seiler
Gibson, A.	Justice	Peterson	Simmons
Gibson, H.	Kendrick	Pickens	Slosberg
Glorioso	Kottkamp	Planas	Smith
Goldstein	Kravitz	Poppell	Sobel
Goodlette	Kreegel	Porth	Stansel
Gottlieb	Kyle	Proctor	Stargel
Grant	Legg	Quinones	Taylor
Greenstein	Littlefield	Reagan	Troutman
Grimsley	Llorente	Rice	Vana
Harrell	Lopez-Cantera	Richardson	Waters
Hasner	Machek	Rivera	Williams
Hays	Mahon	Robaina	Zapata
Henriquez	Mayfield	Roberson	
Holloway	McInvale	Ross	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 329—A bill to be entitled An act relating to adult protective services; amending s. 415.102, F.S.; redefining the term "abuse" to include actions by a relative or a household member which are likely to harm a vulnerable adult; redefining the term "neglect" to include actions of a vulnerable adult against himself or herself; amending s. 415.1051, F.S.; providing for the Department of Children and Family Services to petition the court for an order authorizing the provision of protective services for a vulnerable adult in need of services; amending s. 415.107, F.S.; authorizing the Agency for Persons with Disabilities to have access to certain otherwise confidential records and reports; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 872

Speaker Bense in the Chair.

Yeas—118

Adams	Coley	Hasner	Negron
Allen	Cretul	Hays	Patterson
Altman	Culp	Henriquez	Peterson
Ambler	Cusack	Holloway	Pickens
Anderson	Davis, D.	Homan	Planas
Antone	Davis, M.	Hukill	Poppell
Arza	Dean	Jennings	Porth
Attkisson	Detert	Johnson	Proctor
Ausley	Domino	Jordan	Quinones
Barreiro	Evers	Joyner	Reagan
Baxley	Farkas	Justice	Rice
Bean	Fields	Kendrick	Richardson
Bendross-Mindingall	Flores	Kottkamp	Rivera
Bense	Galvano	Kravitz	Robaina
Benson	Gannon	Kreegel	Roberson
Berfield	Garcia	Kyle	Ross
Bilirakis	Gardiner	Legg	Rubio
Bogdanoff	Gelber	Littlefield	Russell
Bowen	Gibson, A.	Llorente	Ryan
Brandenburg	Gibson, H.	Lopez-Cantera	Sands
Brown	Glorioso	Machek	Sansom
Brummer	Goldstein	Mahon	Seiler
Brutus	Goodlette	Mayfield	Simmons
Bucher	Gottlieb	McInvale	Slosberg
Bullard	Grant	Meadows	Smith
Cannon	Greenstein	Mealor	Sobel
Carroll	Grimsley	Murzin	Stansel
Clarke	Harrell	Needelman	Stargel

Taylor	Vana	Williams
Troutman	Waters	Zapata

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 371—A bill to be entitled An act relating to the Cancer Drug Donation Program; creating s. 499.029, F.S.; providing a short title; creating the Cancer Drug Donation Program; providing a purpose; providing definitions; providing conditions for the donation of cancer drugs and supplies to the program; providing conditions for the acceptance of cancer drugs and supplies into the program, inspection of cancer drugs and supplies, and dispensing of cancer drugs and supplies to eligible patients; requiring a participant facility that accepts donated drugs and supplies through the program to comply with certain state and federal laws; authorizing a participant facility to charge fees under certain conditions; requiring the Department of Health, upon recommendation of the Board of Pharmacy, to adopt certain rules; providing for the ineligibility of certain persons to receive donated drugs; requiring the department to establish and maintain a participant facility registry; providing for the contents and availability of the participant facility registry; providing immunity from civil and criminal liability for donors or pharmaceutical manufacturers in certain circumstances; providing that in the event of conflict between the provisions in s. 499.029, F.S., and provisions in ch. 465 or ch. 499, F.S., the provisions in s. 499.029, F.S., shall control; providing an appropriation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 873

Speaker Bense in the Chair.

Yeas—116

Adams	Culp	Homan	Poppell
Allen	Cusack	Hukill	Porth
Altman	Davis, D.	Jennings	Proctor
Ambler	Davis, M.	Johnson	Quinones
Anderson	Dean	Jordan	Reagan
Antone	Detert	Joyner	Rice
Arza	Domino	Justice	Richardson
Attkisson	Evers	Kendrick	Rivera
Ausley	Farkas	Kottkamp	Robaina
Barreiro	Fields	Kravitz	Roberson
Baxley	Flores	Kreegel	Ross
Bean	Galvano	Kyle	Rubio
Bendross-Mindingall	Gannon	Legg	Russell
Bense	Garcia	Littlefield	Ryan
Benson	Gardiner	Llorente	Sands
Berfield	Gelber	Lopez-Cantera	Sansom
Bilirakis	Gibson, A.	Machek	Seiler
Bogdanoff	Gibson, H.	Mahon	Simmons
Bowen	Glorioso	Mayfield	Slosberg
Brandenburg	Goodlette	McInvale	Smith
Brown	Gottlieb	Meadows	Sobel
Brummer	Grant	Mealor	Stansel
Brutus	Greenstein	Murzin	Stargel
Bucher	Grimsley	Needelman	Taylor
Bullard	Harrell	Negron	Troutman
Cannon	Hasner	Patterson	Vana
Clarke	Hays	Peterson	Waters
Coley	Henriquez	Pickens	Williams
Cretul	Holloway	Planas	Zapata

Nays—None

Votes after roll call:

Yeas—Carroll, Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7153—A bill to be entitled An act relating to financial entities and transactions; amending s. 494.001, F.S.; defining the term "control person"; amending s. 494.0011, F.S.; authorizing the Financial Services Commission to require electronic submission of forms, documents, or fees; providing a limitation; authorizing the commission to adopt rules accommodating a technological or financial hardship; requiring that a grant or denial of a license be in accordance with ch. 120, F.S.; amending s. 494.0016, F.S.; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; amending s. 494.0029, F.S.; requiring that certain entities who offer or conduct mortgage business training obtain a permit; providing requirements and procedures for obtaining a permit; specifying that permits are not transferable or assignable; providing for expiration and recertification of permits; authorizing permit fees; requiring that curriculum, training, and training materials be available for inspection; requiring electronic notification to the office of persons who have successfully completed certain education requirements; requiring the commission to adopt rules; amending s. 494.00295, F.S.; revising professional education provisions to apply to continuing education; providing requirements; waiving such requirements for license renewals for certain persons under certain circumstances; amending s. 494.003, F.S.; revising the list of entities exempt from certain mortgage broker licensure requirements; amending s. 494.0031, F.S.; requiring licensure of mortgage brokerage businesses; revising requirements and procedures for issuing licenses; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; specifying that certain licenses are not transferable or assignable; revising the grounds on which a license may be denied; deleting certain provisions relating to cancellation and reinstatement of licenses; amending s. 494.0032, F.S.; requiring renewal of branch office licenses with renewal of mortgage brokerage business licenses; amending s. 494.0033, F.S.; revising mortgage broker licensure requirements and procedures; authorizing the commission to prescribe additional testing fees; authorizing the commission to waive certain examination requirements under specified circumstances; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; deleting provisions relating to cancellation and reinstatement of licenses; amending s. 494.0036, F.S.; revising mortgage brokerage business branch office licensure requirements and procedures; deleting a requirement for displaying licenses; amending s. 494.0039, F.S.; deleting mortgage brokerage business change of address reporting and license display requirements; amending s. 494.004, F.S.; revising mortgage broker licensee requirements; providing requirements for acquiring a controlling interest in a licensee; providing a definition; providing duties and authority of the commission; authorizing the office to bring an administrative action under certain circumstances; amending s. 494.0041, F.S.; specifying additional grounds for taking disciplinary action; amending s. 494.006, F.S.; revising the list of entities exempt from mortgage lender licensure requirements; amending s. 494.0061, F.S.; requiring the licensure of mortgage lenders; revising mortgage lender license requirements and procedures; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; providing for commission rules; revising provisions governing grounds for imposing discipline; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to prescribe additional testing fees; revising provisions governing principal representatives; amending s. 494.0062, F.S.; requiring licensure of correspondent mortgage lenders; revising correspondent mortgage lender license requirements and procedures; providing duties and authority of the commission and office; providing duties of the Department of Law Enforcement; providing educational requirements for principal representatives; revising grounds for disciplinary action; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to prescribe additional testing fees; providing for commission rules; amending s. 494.0064, F.S.; revising mortgage lender branch office licensee professional continuing education requirements; amending s. 494.0065, F.S.; revising saving clause requirements and procedures; revising the duties and authority of the office

and commission; providing duties of the Department of Law Enforcement; providing for commission rules; providing requirements for education and testing for certain principal representatives and for transfer applications; authorizing the commission to prescribe additional testing fees; revising provisions governing the denial of transfers; providing personal representative designation requirements; amending s. 494.0066, F.S.; revising branch office licensure requirements; providing for commission rules; amending s. 494.0067, F.S.; deleting a license display requirement; providing information reporting requirements; providing requirements for acquiring a controlling interest in a licensee; providing a definition; providing duties and authority of the commission; authorizing the office to bring an administrative action under certain circumstances; revising professional continuing education requirements; amending s. 494.0072, F.S.; providing additional grounds for taking disciplinary action; amending s. 494.00721, F.S.; conforming cross-references; amending s. 501.137, F.S.; providing mortgage lender liability for attorney's fees and costs for certain violations; amending s. 516.01, F.S.; defining the term "control person"; amending s. 516.03, F.S.; revising requirements and procedures for issuing consumer finance loan licenses; specifying certain fees as nonrefundable; authorizing the commission to adopt rules; revising certain fee requirements; providing for technological or financial hardship exemptions under certain circumstances; amending s. 516.031, F.S.; increasing a reimbursement charge for certain investigation costs; amending s. 516.05, F.S.; revising investigation procedures; deleting provisions relating to certain fees for licenses that have been denied; providing licensee information reporting requirements; providing requirements for acquiring a controlling interest in a licensee; providing a definition; providing duties and authority of the commission and office; providing for commission rules; authorizing the office to bring an administrative action under certain circumstances; deleting provisions authorizing the office to grant temporary licenses; amending s. 516.07, F.S.; providing an additional ground for taking disciplinary action; repealing s. 516.08, F.S., relating to requirements for posting a license; amending s. 516.12, F.S.; authorizing the commission to adopt rules specifying the minimum information to be shown in a licensee's books, accounts, records, and documents and the requirements for destroying a licensee's books, accounts, records, and documents; amending s. 516.19, F.S.; correcting cross-references; amending s. 517.021, F.S.; redefining the term "branch office"; authorizing the commission to adopt rules; amending s. 517.051, F.S.; revising required accounting principles; amending s. 517.061, F.S.; revising a provision governing exempt transactions; amending s. 517.081, F.S.; revising required accounting principles; amending s. 517.12, F.S.; revising requirements and procedures for registration of dealers, associated persons, investment advisers, and branch offices; revising duties and authority of the commission and office; providing for commission rules; providing duties of the Department of Law Enforcement; revising requirements, procedures, and exemptions relating to activities of Canadian dealers and associated persons; providing for certain fees; providing that certain fees are nonrefundable; providing for the collection of fees; amending s. 517.131, F.S.; revising criteria under which recovery can be made from the Securities Guaranty Fund; authorizing the commission to adopt rules; amending s. 517.141, F.S.; revising requirements for claimant reimbursements to the fund; authorizing the commission to adopt rules; amending s. 517.161, F.S.; revising a ground for a registration adverse action; providing an additional ground; amending ss. 520.02, 520.31, and 520.61, F.S.; defining the term "control person"; amending ss. 520.03, 520.32, 520.52, and 520.63, F.S.; revising requirements and procedures for licensing motor vehicle retail installment sellers, retail installment transaction retail sellers, sales finance companies, and home improvement finance sellers; revising duties and authority of the commission and office; specifying certain fees as nonrefundable; amending s. 520.994, F.S.; revising commission authority to adopt rules to include electronic submissions; providing for accommodating a technological or financial hardship; amending s. 520.995, F.S.; providing an additional ground for taking disciplinary action; revising a provision applying disciplinary actions to certain persons; amending s. 520.997, F.S.; revising commission authority to adopt rules relating to a licensee's books, accounts, records, and documents; creating s. 520.999, F.S.; providing additional requirements of licensees in sales and finance;

authorizing the office to bring an administrative action under certain circumstances; authorizing the commission to adopt rules; amending s. 537.009, F.S., relating to the Florida Title Loan Act; revising provisions relating to a licensee's books, accounts, records, and documents; amending s. 559.9232, F.S.; correcting cross-references; amending s. 560.105, F.S., relating to the Money Transmitters' Code; authorizing the commission to adopt rules for electronic submission of money transmitter licensee forms, documents, or fees; providing for exemptions due to technological or financial hardship; amending s. 560.114, F.S.; providing an additional ground for taking disciplinary action; amending s. 560.121, F.S.; authorizing the commission to adopt rules relating to a licensee's books, accounts, records, and documents; amending s. 560.126, F.S.; revising information reporting requirements; providing requirements for acquiring a controlling interest; authorizing the office to bring an administrative action under certain circumstances; authorizing the commission to adopt rules; amending s. 560.127, F.S.; revising criteria for determining control over a money transmitter; deleting provisions regulating the acquisition or purchase of a money transmitter; amending s. 560.205, F.S.; revising requirements and procedures for registering money transmitters; revising duties of the commission and office; providing duties of the Department of Law Enforcement; amending s. 560.207, F.S.; revising requirements and procedures for renewing a registration; authorizing the commission to adopt rules; providing that specified fees are nonrefundable; providing conditions for reinstating a registration; providing an additional fee; providing for expiration of registration; amending s. 560.210, F.S.; revising required accounting principles; amending s. 560.211, F.S.; revising certain recordkeeping requirements; amending s. 560.305, F.S., relating to the Check Cashing and Foreign Currency Exchange Act; revising requirements and procedures for registration; amending s. 560.306, F.S.; revising fingerprinting requirements and procedures; providing duties of the office and Department of Law Enforcement; amending s. 560.308, F.S.; revising requirements for renewal of registration; providing for expiration of registration; providing that specified fees are nonrefundable; providing conditions for reinstatement of a registration; amending s. 560.310, F.S.; revising certain recordkeeping requirements; amending s. 560.403, F.S.; revising requirements for registration renewal notices of intent; providing that specified fees are nonrefundable; providing conditions for reinstatement of a notice of intent; creating s. 655.851, F.S.; providing that credit balances that result from the performance of or participation in check-clearing functions are not subject to certain reporting requirements; amending s. 655.935, F.S.; authorizing the search of a safe-deposit box co-leased by a decedent; providing construction; amending s. 655.936, F.S.; providing for the delivery of a safe-deposit box to a court-appointed personal representative; amending s. 655.937, F.S.; revising provisions for access to safe-deposit boxes; providing a penalty; amending s. 679.705, F.S.; extending the effective date of a financing statement filed under previous law; amending s. 733.6065, F.S.; revising provisions relating to the initial opening of certain safe-deposit boxes; providing an appropriation; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 874

Speaker Bense in the Chair.

Yeas—116

Adams	Bendross-Mindingall	Cannon	Evers
Allen	Bense	Carroll	Farkas
Altman	Benson	Clarke	Fields
Ambler	Berfield	Coley	Flores
Anderson	Bilirakis	Cretul	Galvano
Antone	Bogdanoff	Culp	Gannon
Arza	Bowen	Cusack	Garcia
Attkisson	Brandenburg	Davis, D.	Gardiner
Ausley	Brown	Davis, M.	Gibson, A.
Barreiro	Brummer	Dean	Gibson, H.
Baxley	Brutus	Detert	Glorioso
Bean	Bullard	Domino	Goldstein

Goodlette	Kendrick	Negron	Russell
Gottlieb	Kottkamp	Patterson	Ryan
Grant	Kravitz	Peterman	Sands
Greenstein	Kreegel	Pickens	Sansom
Grimsley	Kyle	Planas	Seiler
Harrell	Legg	Poppell	Simmons
Hasner	Littlefield	Porth	Slosberg
Hays	Llorente	Proctor	Smith
Henriquez	Lopez-Cantera	Quinones	Sobel
Holloway	Machek	Reagan	Stansel
Homan	Mahon	Rice	Stargel
Hukill	Mayfield	Richardson	Taylor
Jennings	McInvale	Rivera	Troutman
Johnson	Meadows	Robaina	Vana
Jordan	Mealor	Roberson	Waters
Joyner	Murzin	Ross	Williams
Justice	Needelman	Rubio	Zapata

Nays—2

Bucher Gelber

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

HB 1029—A bill to be entitled An act relating to the carrying of firearms in national forests; repealing s. 790.11, F.S., which prohibits the carrying of firearms in national forests; repealing s. 790.12, F.S., which authorizes the granting of a special permit for the carrying of firearms in a national forest; repealing s. 790.14, F.S., which provides a penalty for violation of ss. 790.11 and 790.12, F.S.; amending s. 790.25, F.S.; correcting cross-references; requiring the Department of Environmental Protection to amend the correlative rule in the Florida Administrative Code to allow the possession of weapons in compliance with all Florida Statutes; providing requirements with respect to amendment of the rule; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 875

Speaker Bense in the Chair.

Yeas—90

Adams	Cretul	Henriquez	Pickens
Allen	Culp	Homan	Planas
Altman	Cusack	Hukill	Poppell
Ambler	Davis, D.	Jennings	Proctor
Anderson	Davis, M.	Johnson	Quinones
Arza	Dean	Jordan	Reagan
Attkisson	Detert	Kendrick	Rice
Barreiro	Domino	Kottkamp	Richardson
Baxley	Evers	Kravitz	Rivera
Bean	Farkas	Kreegel	Robaina
Bense	Flores	Kyle	Ross
Benson	Galvano	Legg	Rubio
Berfield	Garcia	Littlefield	Russell
Bilirakis	Gardiner	Llorente	Sansom
Bogdanoff	Gibson, H.	Lopez-Cantera	Simmons
Bowen	Glorioso	Mahon	Stansel
Brandenburg	Goldstein	Mayfield	Stargel
Brown	Goodlette	McInvale	Troutman
Brummer	Grant	Mealor	Waters
Cannon	Grimsley	Murzin	Williams
Carroll	Harrell	Needelman	Zapata
Clarke	Hasner	Negron	
Coley	Hays	Patterson	

Nays—27

Antone	Bucher	Gelber	Joyner
Ausley	Bullard	Gibson, A.	Justice
Bendross-Mindingall	Fields	Gottlieb	Machek
Brutus	Gannon	Holloway	Meadows

Peterman	Ryan	Slosberg	Taylor
Porth	Sands	Smith	Vana
Roberson	Seiler	Sobel	

Votes after roll call:

Yeas—Traviesa

Yeas to Nays—Cusack

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7091—A bill to be entitled An act relating to real property electronic recording; creating s. 695.27, F.S.; providing a short title; providing definitions; providing for the validity of electronic documents relating to real property; providing for the recording of electronic documents by the county recorder; granting the Department of State rulemaking authority; creating the Electronic Recording Council; requiring the department to make specific written findings if any of the council's recommendations are rejected; providing for membership and meetings of the council; providing that council members shall serve without compensation and may not claim per diem and travel expenses from the Secretary of State; providing guidelines for the department, in consultation with the council, to consider in adopting, amending, and repealing standards; providing for uniformity of application and construction; specifying the relation to a federal act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 876

Speaker Bense in the Chair.

Yeas—117

Adams	Culp	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Jennings	Reagan
Ambler	Davis, M.	Johnson	Rice
Anderson	Dean	Jordan	Richardson
Antone	Detert	Joyner	Rivera
Arza	Domino	Justice	Robaina
Attkisson	Evers	Kendrick	Roberson
Ausley	Farkas	Kottkamp	Ross
Barreiro	Fields	Kravitz	Rubio
Baxley	Flores	Kreegel	Russell
Bean	Galvano	Legg	Ryan
Bendross-Mindingall	Gannon	Littlefield	Sands
Bense	Garcia	Llorente	Sansom
Benson	Gardiner	Lopez-Cantera	Seiler
Berfield	Gelber	Machek	Simmons
Bilirakis	Gibson, A.	Mahon	Slosberg
Bogdanoff	Gibson, H.	Mayfield	Smith
Bowen	Glorioso	McInvale	Sobel
Brandenburg	Goldstein	Meadows	Stansel
Brown	Goodlette	Mealor	Stargel
Brummer	Gottlieb	Murzin	Taylor
Brutus	Grant	Needelman	Troutman
Bucher	Greenstein	Negron	Vana
Bullard	Grimsley	Patterson	Waters
Cannon	Harrell	Peterman	Williams
Carroll	Hasner	Pickens	Zapata
Clarke	Hays	Planas	
Coley	Henriquez	Poppell	
Cretul	Holloway	Porth	

Nays—None

Votes after roll call:

Yeas—Traviesa

So the bill passed, as amended, and was immediately certified to the Senate.

REPRESENTATIVE GOODLETTE IN THE CHAIR

Remarks

The Speaker recognized Rep. Clarke, who gave brief farewell remarks.

THE SPEAKER IN THE CHAIR

Motion to Adjourn

Rep. Rubio moved that the House adjourn for the purpose of receiving reports, holding council and committee meetings, and conducting other House business, to reconvene at 10:00 a.m., Wednesday, April 26, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

First Reading by Publication

The Honorable Allan Bense, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 274 and requests the concurrence of the House.

Faye W. Blanton, Secretary

By the Committee on General Government Appropriations and Senator Jones—

CS for SB 274—A bill to be entitled An act relating to defibrillators in state parks; creating s. 258.0165, F.S.; encouraging state parks to have a functioning automated external defibrillator; requiring training, maintenance, and location registration; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Division of Recreation and Parks to adopt rules; providing an appropriation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Ambler:

Yeas—April 21: 821

Rep. Berfield:

Yeas to Nays—April 21: 823

Rep. Bogdanoff:

Nays—April 24: 832

Rep. Homan:

Yeas—April 21: 817

Rep. Mahon:

Yeas—March 23: 690; April 6: 746; April 21: 822, 825

Nays—April 6: 728

Rep. Meadows:

Nays—April 21: 820

Rep. Sorensen:

Yeas—April 24: 830, 831, 833, 834

Nays—April 24: 832

Rep. Stargel:

Yeas—April 24: 830, 831

Cosponsors

HB 21—Antone, A. Gibson, Quinones, Roberson, Smith, Vana

HB 25—Galvano, Grant, Quinones, Rice

HJR 33—Vana

HB 37—Bucher, A. Gibson, Joyner

HB 55—Fields, Holloway, Jennings

HB 61—Meadows

HB 69—Sansom

HB 75—Fields

HB 85—Brutus

HB 127—Antone

HB 135—Stargel

HB 147—Quinones

HB 161—Waters

HB 175—Homan

HB 187—Henriquez

HB 227—Kravitz, Rice

HB 241—Fields

HB 247—Henriquez

HB 263—Sansom

HB 265—Kravitz

HB 293—Antone, Brutus

HJR 353—Cannon, Clarke, Hasner, Kreegel, Llorente, Planas, Robaina, Sansom, Stargel

HB 371—Allen, Brutus, Bucher, Cusack, A. Gibson, Henriquez, Holloway, Meadows, Roberson, Sands, Smith, Taylor

HB 411—Grimsley

HB 415—Brummer

HB 421—Sansom, Stargel

HB 449—Sansom

HB 461—Carroll, Grimsley

HB 507—Stargel

HB 513—Waters

HB 531—Antone, Brutus, Fields, A. Gibson, Henriquez, Holloway, Homan, Joyner, Roberson, Sands, Smith

HB 535—Homan

HB 573—Anderson, Baxley, Brummer, Grimsley

HB 591—Simmons

HB 599—Antone, Holloway

HB 633—Fields

HB 667—Brutus

HB 699—Grimsley

HB 743—Clarke

HB 749—Mayfield

HB 761—Antone, Brandenburg, Brummer, Brutus, Bucher, Cusack, Grimsley, Holloway, McInvale, Smith

HB 763—Glorioso

HB 765—Stargel

HB 805—Hays

HB 817—Farkas

HB 825—Antone, Brutus, Bucher, Roberson

HB 947—Anderson, Henriquez

HB 955—Ambler, Baxley, Grimsley

HB 971—Brutus, Henriquez

HB 989—Sansom

HB 1007—Ambler, Baxley, Brummer, Carroll, Glorioso, Homan, Reagan

HB 1015—Troutman

HB 1029—Hasner, Hays, Stansel

HB 1035—Bullard

HB 1079—Stargel

HB 1143—Allen, Quinones

HB 1145—Brown, Holloway, Meadows, Waters

HB 1157—Littlefield

HB 1169—Grant, Planas, Zapata

HB 1173—Antone, Bucher

HB 1199—McInvale

HB 1231—Sobel

HB 1235—Fields

HB 1237—Sansom, Stargel

HB 1367—Troutman

HB 1417—Holloway

HB 1449—Roberson, Waters

HB 1451—Homan

HB 1503—Coley

HB 1557—Antone

HB 5043—Holloway

HB 7021—Antone

HB 7089—Grant, Troutman, Waters

HB 7125—Sobel

HB 7145—Holloway, Taylor

HB 7163—Holloway, Williams

HB 7171—Stargel

HB 7183—Holloway, Traviesa

HB 7203—Sobel

HR 9091—Galvano, Glorioso

HR 9101—Ausley

Cosponsors of Combined Bills

HCB 6003 (for HBs 515, 589)—Antone

Introduction and Reference

By Representative Zapata—

HR 9115—A resolution honoring Jorge L. Arrizurieta.

First reading by publication (Art. III, s. 7, Florida Constitution).

House Resolutions Adopted by Publication

At the request of Rep. Bucher—

HR 9095—A resolution designating the 2006-2007 school year as "Healthy School Lunch Year" in Florida.

WHEREAS, all children, regardless of ethnic, racial, or religious background, are entitled to a healthy meal each day at school in compliance with the mandate of the National School Lunch Program, and

WHEREAS, a disproportionate rise in poor health indicators, including obesity, risk for heart disease, diagnoses of cancer, and adult onset diabetes, are linked to diet, and a significant percentage of children who rely on free or reduced-price school lunches are considered at risk for these diet-related degenerative diseases, and

WHEREAS, recent studies indicate that more than one-fourth of Florida's children are overweight or obese and are therefore at higher risk of developing these health problems, and

WHEREAS, the American Academy of Pediatrics, the American Cancer Society, the American Dietetic Association, the American Diabetes Association, the American Heart Association, the United States Department of Agriculture, and the National Institutes of Health recommend a greater emphasis in the American diet on fruits, vegetables, whole grains, and legumes, which contain fiber and essential nutrients, including vitamins and minerals, but are low in fat and calories and contain no cholesterol, and

WHEREAS, the USDA's Team Nutrition program has stated that less than 15 percent of children eat the minimum daily recommended servings of fruit, 35 percent eat no fruit on a given day, only 17 percent consume the minimum

daily recommended servings of vegetables, and 20 percent eat no vegetables on a given day, and exposure to vegetarian entrées in the school cafeteria would positively influence children with poor eating habits, and

WHEREAS, school children who identify themselves as vegetarian or vegan or are from families who avoid meat and dairy foods may be at a disadvantage if no appropriate school lunch meals are offered in their respective schools, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives designates the 2006-2007 school year as "Healthy School Lunch Year" in Florida, a year in which all school districts and parents of school children in the state are urged to emphasize the importance of and to provide daily diets consisting of fruits, vegetables, whole grains, and legumes, including regular vegetarian entrée options.

BE IT FURTHER RESOLVED that the House of Representatives encourages each school district to observe a "Healthy School Lunch Celebration" on May 1, 2007, to honor food service workers for their contributions to the school children of Florida.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Richardson—

HR 9101—A resolution honoring the Reverend Ernest Ferrell.

WHEREAS, through the Reverend Ernest Ferrell's faithful ministry of the Word, wise guidance and counseling, and unselfish outreach to both church and community, the congregation of Saint Mary Primitive Baptist Church in Tallahassee has experienced a phenomenal growth in membership during the 13 years he has served the church as Pastor, and

WHEREAS, a Florida Agricultural and Mechanical University graduate as well as a pastor in the area for 36 years, Reverend Ferrell is well known for his brilliant leadership, outstanding accomplishments, and numerous contributions, and

WHEREAS, Reverend Ferrell has served as President and CEO of the Tallahassee Urban League for 32 years; is a respected member of the Tallahassee Community College African American History Calendar; and has received honors such as his Alma Mater's prestigious Martin Luther King Leadership Award, the City of Tallahassee's Reginald L. Rolle Minority Business Leadership Award and its Reverend Ernest Ferrell Day Proclamation Award, the Omega Psi Phi Fraternity Citizen of the Year Award, and the Leon County Achievement and Recognition Award, and

WHEREAS, a proven leader, Reverend Ferrell was president of the Florida Primitive Baptist Convention USA for 10 years, during which period the state convention realized many accomplishments and experienced outstanding growth; and he served as vice president of the national convention for 10 fruitful years, until, in August 2005, he was elected the twelfth president of the National Primitive Baptist Convention, USA, the first time a Tallahassee native has been chosen to serve in that position, and

WHEREAS, on February 20, 2006, before an audience of more than 1,000 enthusiastic guests and well-wishers, some from as far away as Ohio and Texas, the Reverend Ernest Ferrell was inaugurated to the highest office of the National Primitive Baptist Convention, USA, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That House of Representatives joins in honoring the Reverend Ernest Ferrell, Pastor of Saint Mary Primitive Baptist Church.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Reverend Ernest Ferrell, President, National Primitive Baptist Convention, USA, as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Rivera—

HR 9113—A resolution designating April 25, 2006, as "Free Cuba Day" in Florida.

WHEREAS, for more than four decades, Cuba's communist dictatorship has denied the Cuban people such basic civil liberties as freedom of speech and religion and has been condemned repeatedly by the United Nations for human rights abuses and denounced again and again by international human rights organizations for the persecution of peaceful dissidents and political prisoners, and

WHEREAS, having declared unequivocal hostility and enmity toward the United States and its free, democratic way of life, the Cuban government is harboring fugitives from United States justice, is attempting to develop biochemical weaponry, and has been designated by the United States Department of State as an official state sponsor of terrorism, and

WHEREAS, the people of Cuba, oppressed for 47 years by the nation's terrorist, communistic regime, have struggled to achieve freedom and democracy under the courageous leadership of opposition members and human rights activists on the island, bolstered by the vigorous support of the Cuban-American exile community, while the present dictatorship steadfastly refuses to allow free, fair, open elections in the Cuban citizens' effort toward self-determination, and

WHEREAS, Florida, home to over one million Cuban-American exiles who have contributed positively to the social, political, and economic well-being of the state, maintains stronger historical and cultural links to Cuba than any other state in our nation and harbors only good will toward the people of Cuba in their aspirations to achieve liberty and a freely elected government in which they, their families, and their future generations may live in peace and prosperity in a free and open society, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives recognizes the courageous quest for freedom by the dauntless opposition leaders inside Cuba, expresses its solidarity with Cuba's freedom-seeking people, and, as an expression of its desire that Cuba rejoin the community of free and democratic nations, designates April 25, 2006, as "Free Cuba Day" in Florida.

—was read and adopted by publication pursuant to Rule 10.16.

Reports of Councils and Standing Committees

Received April 24:

The Commerce Council reported the following favorably:
HB 173 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Resources Council reported the following favorably:
HB 1039 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Health & Families Council reported the following favorably:
HB 1093 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Commerce Council reported the following favorably:
HB 1283 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Infrastructure Council reported the following favorably:

HB 1321 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Resources Council reported the following favorably:
HB 1359 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Infrastructure Council reported the following favorably:
HB 1363 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Commerce Council reported the following favorably:
HB 1473 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Resources Council reported the following favorably:
HB 7075 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Administration Council reported the following favorably:
HB 7121 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Commerce Council reported the following favorably:
HB 7263 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

Received April 25:

The Justice Council reported the following favorably:
HB 199

The above bill was placed on the Calendar of the House.

The Health & Families Council reported the following favorably:
HB 241

The above bill was placed on the Calendar of the House.

The Health & Families Council reported the following favorably:
HB 457

The above bill was placed on the Calendar of the House.

The Health & Families Council reported the following favorably:
HB 459

The above bill was placed on the Calendar of the House.

The Justice Council reported the following favorably:
HB 495

The above bill was placed on the Calendar of the House.

The Commerce Council reported the following favorably:
HB 517 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Health & Families Council reported the following favorably:
HB 569

The above bill was placed on the Calendar of the House.

The State Resources Council reported the following favorably:
HB 733 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Justice Council reported the following favorably:
HB 827 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Commerce Council reported the following favorably:
HB 1113

The above bill was placed on the Calendar of the House.

The Commerce Council reported the following favorably:
HB 1199 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Infrastructure Council reported the following favorably:
HB 1315 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Justice Council reported the following favorably:
HB 1457

The above bill was placed on the Calendar of the House.

The Fiscal Council reported the following favorably:
HB 7235 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The State Infrastructure Council reported the following favorably:
HB 7253 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

Excused

Rep. Rubio until 2:00 p.m.; Rep. Traviesa

The following Conference Committee Managers were excused from time to time:

HB 5001 and related legislation (HB 5003, HB 5005, HB 5007, HB 5009, HB 5011, HB 5013, HB 5017, HB 5019, HB 5021, HB 5023, CS for SB 390, CS for SB 394, CS for SB 398, CS for SB 818, CS for SB 840, CS for SB 844, CS for SB 846, CS for SB 848): At Large—Rep. Negron (Chair), Rep. Mahon (Vice Chair), and Reps. Gardiner, Waters, Goodlette, Rubio, Bowen, Brummer, Simmons, Greenstein, Jennings, Seiler, Ryan, Sansom, and Zapata; Agriculture & Environment—Rep. Mayfield (Chair), and Reps. Brown, Littlefield, Hays, Poppell, Machek, Stansel, Kendrick (Alternate), Williams, Evers, and Allen; Education—Rep. Pickens (Chair), and Reps. Rivera, Attkisson, Baxley, Flores, Altman, Arza, Stargel, Vana, Bendross-Mindingall, Richardson, Justice (Alternate), Patterson, Coley, and Mealor; Health Care—Rep. Bean (Chair), and Reps. Benson, Cannon, Farkas, Galvano, Garcia, Murzin, Gannon, Sobel, Grimsley (Alternate), Roberson (Alternate), Grant, and Hukill; Criminal Justice—Rep. Barreiro (Chair), and Reps. Adams, Ambler, Needelman, Joyner, and Porth; Judiciary—Rep. Kottkamp (Chair), and Reps. Ross (Alternate), Planas, Gelber, and Quinones; State Administration—Rep. Berfield (Chair), and Reps. Carroll, Kreegel, Reagan, Lopez-Cantera (Alternate), A. Gibson (Alternate), Taylor, and Holloway; Transportation & Economic Development—Rep. D. Davis (Chair), and Reps. M. Davis, Kravitz, Llorente, Traviesa, Ausley, Cusack, McInvale (Alternate), and Bogdanoff.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 3:51 p.m., to reconvene at 10:00 a.m., Wednesday, April 26, or upon call of the Chair.